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Cash
THE ADVENTURES

OF

MARTIN CASH,

COMPRISING A FAITHFUL ACCOUNT OF HIS EXPLOITS, WHILE
A BUSHRANGER UNDER ARMS IN TASMANIA, IN
COMPANY WITH

KAVANAGH AND JONES,

IN THE YEAR 1843.

EDITED BY JAMES LESTER BURKE.

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P R E F A C E.



BEFORE compiling the following narrative, the writer had been given to understand by many old and influential Colonists, that the principal incidents of his chequered and eventful career might not be altogether uninteresting to the people of the Country where the scenes of his adventures were laid.

In making his observations during his subsequent detention at Norfolk Island, he would beg to say that he is not influenced by any local prejudices, merely adhering strictly to facts, irrespective of all other considerations.

It is with the utmost diffidence that he is induced to appear before the public in the character of an Author, seeing that the character of a Bushman would be far more consistent with his tastes and capabilities, while he assures his readers that a ramble over the tiers of Tasmania would be much more agreeable to him than any wanderings he might be induced to take in the paths of literature. The Author earnestly begs that his readers will not criticise him too severely, as all must be aware that his literary attainments are not of an exalted order.

M. C.

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INTRODUCTION.

THE subjoined sketches of bushranging life in Van Diemen's Land were strung together in the form of a narrative, at the solicitation of a number of respectable and influential colonists in Tasmania, Sydney, and Melbourne, particularly the former territory, where the principal incidents described in the narrative occurred; and where many are still living who can vouch for the fidelity of the pictures of Bush Life which are delineated in the following pages, illustrative of the evils arising from the misapplication and undue severity of prison discipline in the early days of the Colony.

It is not with a view of extolling his exploits, or those of his companions when under arms in the Bush, nor yet of presenting himself in the character of a hero, that the Author has been induced to narrate his adventures, his chief object being to present a faithful portraiture of the *modus operandi* of that discipline so indiscriminately exercised without reference to individuals or the moral, or physical capabilities of that unfortunate class to which it was applied; and at the same time endeavouring to show that the social and moral condition of the Colony was mainly affected by the exercise of that discipline, the rigours of which had driven numbers of the more deserving of that class to finish their wretched career on the scaffold; but who under a more humane system of coercion might have been restored to freedom.

The Author concludes by quoting, "That fallen as a brother may be from the moralities which at one time adorned him, the manifested good-will of his fellow men still carries a charm and an influence along with it, which no poverty can vitiate, nor depravity extinguish."

The blighted branches of the tree,
If topped with care, a strength may give,
By which the rest shall bloom and live,
All greenly fresh and wildly free;
But if the lightning in its wrath
The waving boughs with fury scathe,
The massy trunk the ruin feels,
And never more a leaf reveals.

THE
LIFE AND ADVENTURES OF MARTIN CASH.

CHAPTER I.

“I dream of all things free,
Of a gallant, gallant bark
That sweeps thro’ storm and sea
Like an arrow to its mark—
Of a stag that o’er the hills
Goes bounding in his glee—
Of a thousand flashing rills—
Of all things glad and free.”

Birth and Parentage.

I was born in the year 1810, in the town of Enniscorthy, Wexford, Ireland. My father inherited a considerable amount of property in and around my native town, but unfortunately he was one of that class who are destined by Providence to ruin themselves and all those who are in any way connected with them, by their extravagant and spendthrift habits; he maintained a style of hospitality which his circumstances by no means warranted, and which ultimately would have effected his ruin had it not been that by his marriage with my mother, who was also possessed of property in her own right. He was thereby enabled to support appearances, but on a more limited scale. However, he was a negligent, indolent man, and consequently the care of myself and a younger brother solely devolved on my mother, who was much too indulgent, and permitted us to have our own way in everything. Our education was therefore neglected, as no earthly power could get me to attend school regularly, and being expelled by three different masters, through my mischievous tendencies, the notion of having me educated was ultimately abandoned. On finding that I had my own way in this, as in everything else, I bid fair to follow in the footsteps of my father; and being supplied liberally with pocket money, I very early contracted habits of dissipation, which soon placed me beyond the bounds of parental authority, the greater part of my time being spent at horse races and all other places of public amusement: in fact I was allowed to do anything and everything just as I pleased, until I arrived at the age of eighteen, when I unfortunately became acquainted with a young woman, who resided with her mother and elder sister in an obscure part of the town, and earned their subsistence by making straw hats and bonnets. Her mother was quite aware of our intimacy, and afforded us every opportunity of being in each other's company, consequently I spent the greater part of my time in her society, becoming quite a proficient at the business, and this circumstance, trivial as it may appear, was of service to me in after life. They borrowed money of me upon every possible occasion, which obliged me to draw so heavily and frequently upon my mother, that she at last seriously remonstrated with me upon my extravagance, assuring me that it was not in her power to indulge it any longer, as the bulk of her property had been now nearly squandered away. I paid very little attention to her admonitions; all I wanted was money for my sweetheart, being perfectly regardless of where it came from, so

long as I could obtain it, in order to support her and her mother and sister, who had now removed to a more commodious and expensive establishment, situated in the centre of the town, on the understanding that I was to furnish them with all contingent expenses. I followed up a course of dissipation for the next twelve months, when an incident occurred which changed the whole tenure of my future life.

It happened that while drinking with a few of my companions, one of them informed me that a young man named Jessop, who lived in the neighbourhood, and whose parents were highly respectable, was then in company with my friend, and having previously heard that he frequently visited at her mother's, I was stung to madness with jealousy; and resolving to have my revenge, I returned home, caught up my gun, and at once proceeded to the house, and on looking through the window of the sitting room I saw young Jessop in company with my Mary, having his arm round her waist. Not waiting for any further proof of her treachery, I stepped back a pace or two from the window, and fired at my rival, who instantly fell on the floor. The report of my piece attracted a number of people; however, I was shortly after arrested and placed in gaol. My relations offered any amount of bail, which was at once refused, and in a few days after, I was fully committed to take my trial at the ensuing assizes. I was visited daily by my mother, who appeared to be in bad health, owing, I have no doubt, to my past folly and misconduct. Jessop remained under the care of the doctors. The ball, it appears, entered his breast, and came out under the shoulder blade. They entertained but slight hopes of his recovery. My friends secured the services of the ablest counsel, but the case was too clear; and on being tried I was found guilty, the jury strongly recommending me to mercy, but that being an attribute that never entered into the composition of Judge Pennefather, I was sentenced to seven years' transportation.

Young Jessop, whose previous career had much resembled my own, recovered afterwards, and presented a petition to the Lord Lieutenant, praying a mitigation of my sentence. It was signed by the leading men in the county, but without effect. I was shortly after removed to Cork gaol, where I received a letter apprising me of the death of my mother, which caused me to bitterly conclude that I was in some measure the cause of it. Two of my uncles, on the maternal side, paid me a visit while there, and taking an affectionate leave, they placed money in the governor's hands, in order to procure me additional necessaries on the passage; and in a few days after, one hundred and seventy of us unfortunates embarked in a vessel named the "Marquis of Huntley," bound for that much dreaded receptacle of all human depravity, Botany Bay.

We had a very favourable passage, during which nothing remarkable occurred. I was a great favourite with the sailors, whom I often accompanied aloft, and before reaching Sydney, I could assist them in furling the sails, or in fact any other duty they had to perform. I recollect a casual observation made by the mate of the vessel, to the effect that if he did not much mistake, my career would be marked by some extraordinary circumstances. In what it originated, I cannot attempt to say, as it made no impression on me at that time—it was in after years that I remembered the remark.

On the 10th February, 1828, we arrived at Sydney, and on landing, we were drafted to Hyde Park Barracks, which formed the general depôt at that time for receiving prisoners. The assignment or hiring out system had then come into operation, and myself, together with eighteen or nineteen of my companions in misery, were forwarded to different masters in Richmond, which at that time was but thinly populated, with only a humble hut scattered here and there, and on passing one of the latter, on our way to the watch-house, a young woman, who was standing at the door, enquired if any of the party had come from Wexford, but before she could be answered, she was joined by another, who appeared to be her sister, and who immediately

exclaimed, "Mother, there is Martin Cash." This family had but recently left my native town, in order to settle in the colony ; and although I had no knowledge of them, yet they knew me perfectly well, and being anxious to know something about the gentleman to whom I was assigned, I enquired if they knew Mr. G. Bowman, to which they answered in the affirmative, observing that he had the reputation of being a great martinet, and after warmly sympathising with me in respect of my unfortunate position, pointed out the great necessity I had for caution, as the slightest remissness on my part would make matters much worse than they were at present. They recited numerous examples of this, in order to make me more clearly understand my position. I was then obliged to bid them a hasty farewell, and in a quarter of an hour after, I was delivered over to the care of my master, being the only one of the party that was destined for his service. On paying my respects I was ordered to join the other men in the hut, where, in a little time, I came to the conclusion that the comforts of his servants did not occupy much of his attention ; however, I had not much time left for reflection, for in a few minutes I was recalled to the house, where I was supplied with bags to hold my weekly ration, viz., ten and one half-pounds of flour, four and one half-pounds of salt pork, one pound of sugar, and two ounces of tea, bedding not being provided, as those served to us on board ship were supposed to be in our possession ; but I having the misfortune to sell my blankets on the road, was now obliged to do the best I could without them. My master had four working men on the farm, not including myself, they were all what was termed old hands. On the morning after my arrival I was employed in digging a hole four feet square, forming the foundation of a closet, and not being accustomed to manual labour, my hands were soon covered with blisters ; but on recollecting the advice I received from my friends on the previous day, I persevered and finished the work by three o'clock in the afternoon, when my master paid me a visit, and asked me if I knew how much I had earned for that day. I answered in the negative, on which he informed me that eight-pence would be a fair equivalent for the work I performed, adding that my rations had cost him two shillings. I was then sent to break up land with a hoe in an adjoining field for the remaining portion of the day, at the close of which, I repaired to my wretched tenement, both weary and dispirited.

The following morning at daylight I resumed my labour, and in the evening when my master measured my work, which by-the-bye, was his general custom, he found that I had broken up fifteen rod of land. The third day, however, I was not so successful, the missus having employed me the greater part of the afternoon ; but as I had broken up but twelve rod of land, my master, who would entertain no excuses, furnished me with a letter on the following morning, addressed to the watch-housekeeper, requesting that functionary to keep me in charge, or at least to forward me in custody to Windsor for trial, where, on my arrival, I was placed before a bench of magistrates, charged by my master, who had arrived in good time, with idleness, in not having performed the same amount of labour on the one day as I had done on the other ; but he did not attempt to explain the reason, though, up to this hour, I am perfectly convinced that he could have done so satisfactorily, if he had the inclination to do so. When called upon for an explanation, I merely stated the truth, that I was otherwise employed by my missus, and on this occasion I was discharged with an admonition, and was consequently returned to the service of my master. The following morning I was again furnished with a hoe, together with a hint that if I did not chip the weeds out of forty-eight rods of land planted with Indian corn, I should be again exhibited before the bench at Windsor, where in the second instance I might receive something sharper than a remonstrance ; however, I saved my skin on this occasion, having performed my allotted task with ease.

I fear that I should be trespassing on the patience of my readers were I to describe my daily efforts for the next three weeks, to please my exacting taskmaster; at the end of that time I was sent to another farm, rented by my master, and situated on the banks of the Hunter River, about one hundred and fifty miles up in the interior. At this farm there were five assigned servants, not including myself, together with a married overseer. My weekly ration, at this place, was one peck, or eight quarts of wheat, seven pounds of salt beef, with the usual complement of tea and sugar, &c. ; and after the labours of the day were terminated, I was obliged to apply myself diligently to an old rusty steel mill, that stood in the corner of the hut, in order to grind a portion of my allowance of wheat; I had afterwards to make it into bread for that night, and part of the next day's consumption. In this unenviable situation, I remained for the next three weeks, when my master drafted one hundred head of cattle to the "Wybung" Run, situated about ninety miles higher up the country; myself and one of the old hands named "Bob Clues" were sent in charge of the cattle. We were accompanied by a bullock team, bearing, amongst other necessaries, my old friend, the steel mill and sieve, the former, through hard service, having become so much battered and otherwise unserviceable, that it would occupy six hours in grinding one peck of wheat, which when in working condition, could have been easily performed in one; but being so far up in the interior, we were obliged to put up with anything. I forgot to mention that we were also accompanied by my master and another gentleman, who did not belong to the establishment. We had to travel nearly one hundred miles before reaching our destination, which we could have done in sixty, had we possessed a knowledge of the country. The station was most judiciously selected, and with the exception of an occasional visit from the natives, who, by-the-bye, were very friendly and obliging, we had nothing to disturb the monotony of our existence, until another equally enterprising person, named Mr. A. Bell had made a similar selection at the distance of half a mile from us, higher up, and on the opposite side of the river. I revert to this part of my humble history, with a greater degree of pleasure than to any other period of my eventful life, though in a measure cut off from society, at the time, yet, I feel a charm in its associations, that refreshes the memory like a green spot in the desert. Our calm and undisturbed mode of life, free from the daily annoyances and petty tyranny, which at that time men of my class were generally subjected to, and which has ever been the bane of my existence. I oftentimes, in after life, when placed in extreme difficulty and peril (owing principally to this cause) imagined how thankful I would have been had Providence permitted me to end my days in this sequestered spot. But to resume my narrative. I found myself in the enjoyment of comparative liberty, and fraternized with the natives, becoming in a short time thoroughly acquainted with their manners and customs, and I believe them to be physically a much superior race of people than the Aborigines of Van Diemen's Land. I found, however, that they were not always to be depended on, particularly where their cupidity was concerned; and, therefore, was not sorry to see that another station had been opened in our vicinity.

Our master after giving us the necessary instructions departed, leaving three of us to carry them into execution, namely Bob Clues, myself, and the stock-keeper, the two former to perform the work, and the latter to superintend the stock, in the performance of which, I am sorry to say, he was very unsuccessful, having lost a great number of cattle in a short time. He was the only free man amongst us, his wages being fifteen pounds per annum; his age being fifty-six years, together with his ignorance of the bush rendered him unfit for the situation. Some of the missing cattle having found their way back to the farm, the overseer judging that something must be wrong, paid us a visit. We then, with the assistance of the stock-riders on the adjacent station, collected the cattle, and when inspected and counted, they were

given over in my charge. I used every effort in declining this new appointment, but the overseer would take no excuses, alleging as his reason, my youth and activity, and my adaptability in all other respects ; of course, he was aware that my position precluded the possibility of exercising a will of my own. I was therefore, reluctantly obliged to submit. It may appear singular that I should wish to remain at hard work, when a situation offered which rendered it unnecessary, but there was great responsibilities attached to the billet, particularly for a person in my position. There was also a certain feeling of honour, existing among men of my class, which made it repugnant to take the place of another who had left under such circumstances. However, I contrived to get through the business very creditably, giving satisfaction to all parties concerned, having adopted a plan of my own, which was to yard up the cattle every night, and let them out in the morning ; and acting upon this principle for three or four months, the cattle by that time had become attached to the locality, and there was very little danger of any straying away.

Stock-keepers at that time were allowed the use of a horse when out collecting cattle, but my master was of opinion that the stock became more tractable without the use of that appendage. I rather think, however, that in this he was influenced by motives of economy, as about the same time I was deprived of my ration of tea and sugar, on the ground of having milk on the station. We had now an accession to our company, my master having sent up two flocks of sheep in charge of two shepherds, one of whom was free, and had a part of the hut partitioned off for his own use, as he was entrusted with the care of the rations, with which he supplied us, as occasion required. This circumstance for a little time relieved the dull monotony of our lives, but by-and-bye, when things settled down to their usual tameness, we had to resort to our old practice of fishing, in order to while away the time, and I have never seen finer perch than we caught here abundantly, in a creek which ran in a south-easterly direction through the station. We could also procure a plentiful supply of mullet, but the latter has never been known to bite at the hook ; the natives have a peculiar method of catching them, which is as follows :—They procure a quantity of the *lignum vitæ* bark, which they chop into shreds with their tomahawks ; they then dig a hole, in which they make a fire, afterwards taking out the ashes and filling the hole with the bark, placing a layer of ashes on the top ; after subjecting it to this process for about an hour, they take out the bark and puts it into small nets with which they plunge into the water holes, and in a few minutes the mullet appear on the surface, and are thrown out on the bank without the slightest difficulty. These fish are the only commodity which the natives seem unwilling to part with in the way of barter. However, before we got acquainted with their mode of catching them, we combined many plans, among the most successful of which was the following :—When the creek became swollen owing to the heavy floods, which washed the mullet out of the larger water-holes into the smaller ones ; we would drive a flock of sheep into the latter, and when the water became muddy the fish would appear on the surface, where we caught them easily.

Having now established a dairy at Hunter River, the cows at the latter place, when dry, had to be sent to the station where I resided, the duty of taking them having devolved upon me, we had places appointed on the road where we put the cattle up for the night : and on one of these occasions I recollect a circumstance that occurred when stopping at Captain Pike's farm (called by the natives *Bumburry Bumburry Garleg*) which will help to give the reader some idea of the position of assigned servants at that time in New South Wales. Captain Pike had then about forty assigned servants, all of whom on the night of my arrival had been served with a ration of Indian corn (quite soft and green), which they had to dry before grinding it in an old steel mill, and as it was the only one on the premises, all hands were obliged to take their turn in succession. It would, therefore, be a late or

rather early hour in the morning before all had their corn ground, after which they had to make it into bread for that night and the next day's consumption. This had to be done after the authorised hours of labour. The men who occupied the hut where I and my party put up, being accompanied by the overseer on this occasion, excused their want of hospitality on this occasion, owing to the before-mentioned circumstance; but as we were well supplied with provisions, we all shared alike, and I was only sorry for the other unfortunate men, whom I judged from experience would not get anything to eat until the morning: in fact I saw some of them at two o'clock in the morning awaiting their turn at the mill. I would here assure my readers that this is no false picture of the general state of things then existing in the colony. I recollect that a man named John Johnston, who was assisting me to take the cattle down to the farm, and another named John Russell, in the service of Captain Pike, were both in the hut on the night in question, but they afterwards, on becoming free, went stock-riding for different masters up at New England, and as it would appear not very far from each other. A skirmish having taken place between the stock-riders and the natives, in which some of the latter were killed, Johnston and Russell, together with five others, were executed at Sydney, although it would appear they were merely acting in self-defence. The circumstance occasioned a great deal of excitement at the time, and the public sympathised very much with these unfortunate men. We were informed that some two or three nights previous to our arrival at Captain Pike's, an old servant of the latter, named Thomas Hoosey, and another whose name I cannot recollect, had formed a plan to rob the stores, and after making their intentions known to a shepherd, who was also in the same service, known by the soubriquet of Scotch Jock, whose hut was situated at a distance of three miles from the farm, they under cover of the night proceeded to the stores in order to carry them into effect; Hoosey, however, received the contents of his master's gun, loaded with buck shot, and both men were immediately apprehended. Scotch Jock, it appears, had secretly apprised his master of what was in contemplation, and he, of course, made his preparations accordingly. Hoosey and his mate were subsequently brought before a bench of magistrates, who sentenced them to twelve months in a chain gang, at the expiration of which, they were to be returned to their master. At Captain Pike's farm I have seen all the ration of meat for forty men weighed off in the lump, which afterwards had to be divided by the men into individual shares. Some of them by this process could not possibly receive the authorized complement of 7lbs. for their week's allowance, being allowed but one draft on the whole. On this farm each man's ration for the week consisted of eight quarts of Indian corn, seven pounds of salt beef, with a daily allowance of three pints of skim milk. I scarcely ever knew it to be better, but I have known it to be worse, that is by substituting a kind of corn which they called mellett, being the produce of the farm. It certainly bore some slight resemblance to Indian corn in the growth, the grain gathering in a bunch on the head of the stalk, and is of a dark colour, about the size of a common pea. In any case, I do not believe it was ever intended for human food; and here let me observe that amongst Captain Pike's servants were to be found men of all trades, blacksmiths, shipwrights, carpenters, cabinet makers, wheelwrights, all of whom shared alike. I dwell upon this establishment, inasmuch as I believe it to be a fair representation of all others throughout the colony. My unfortunate companion in arms in Tasmania, George Jones, had been an assigned servant to Captain Pike, but this was not in my time in New South Wales.

I shall now have to beg the reader's pardon for detaining him so long on the way, and must beg of him, on the following morning, to accompany me on the road through a magnificent country, where, after travelling about two miles, we arrived at a watch-house, in which is stationed a constable, and also that indispensable functionary, the flagellator—paid, I believe, by the Govern-

ment for the accommodation of the settlers, or rather the assigned servants in each locality. A bench of magistrates presided here twice a week, and I had just arrived opportunely to see the flagellator in the performance of his office for the first time. The case I believe was this :—An unfortunate man for some discrepancy or the other, was sentenced to receive one hundred and fifty lashes ; but mark the manner in which the punishment was to be inflicted. On the morning in question, he was receiving his first instalment of fifty lashes, braced up to a gum stump, at the distance of about one hundred yards from the watch-house ; he was to receive the next two fifties on the two consecutive mornings. I was ignorant of what this man was charged with, but I believe it was something very trivial. When any of Captain Pike's men were for trial—which, by-the-bye, was not a very unusual occurrence, as almost anything and everything constituted a crime—Mr. —— presided, and *vice versa* ; and when men from other farms were to be dealt with, both these gentlemen presided together. Previous to the erection of the watch-house, a room in Mr. ——'s house had been appropriated for this purpose ; it has been currently reported, but I will not vouch for the fact, that Mrs. —— has been known to enter the court-room, which formed a part of her own residence, and addressing her husband while in the act of administering justice, say, “ My dear, give him,” meaning the delinquent, “ fifty lashes to please the child.”

Of all the wretches attached to, or in the employ of Her Majesty's Government there are none so truly contemptible as the flagellator, and in all my experiences through life, I never knew a man with one redeeming quality that ever filled that odious office. I generally found them to be cruel, treacherous, and cowardly ; but I need not say more, as the very nature of their duties precludes the possibility of any person discharging them who is not lost to every manly feeling. I recollect a circumstance that took place on another occasion when collecting cattle at a place called Red Banks, on the Dark Brook Creek, higher up the Hunter River, where on passing the watch-house, I observed a man braced up in front of the door, the flagellator having cat in hand in readiness to perform his part of the drama ; the constable gave the prisoner orders to strip, and having done so, the flagellator casually asked him the name of the highest mountain in his country. The prisoner replied that Ben Lomond was considered the loftiest, and by this time he was secured to the triangles. “ Well,” exclaimed the flagellator, “ I'll make you believe in less than five minutes that you had Ben Lomond on your back.”

Having delivered up the cattle, I at once returned to the station, where I found two strange men, who had apparently put up for the night. Hospitality abounded as far as circumstances permitted at these out-stations, any want of which would be considered nothing short of a crime. However, on taking a second look, I imagined that the face of one of our guests was not unfamiliar to me, and recollecting myself for a moment, I asked him if he was not known as Jemmy the Locus. He replied that he was not, but that he wished he was. His last observation put me a little out of temper, as it confirmed me in my suspicion that I was addressing the right person ; but not being quite certain as to his identity, and before resorting to extreme measures, I immediately repaired to the station in our vicinity, knowing that one of the stock-riders could set me right as to my conjectures. It was at this station he should have put up his cattle for the night, had he not been afraid of being recognised, the owner of the cattle and the proprietor of the station being nearly related. On finding my suspicions correct, I at once retraced my steps, but Jemmy the Locus had too much good sense to await my return, having decamped in my absence. In explaining this matter, I must observe that some time previous a prisoner named Daley had taken to the bush, and by his daring conduct had rendered himself very notorious. A reward had been offered for his apprehension, and at this time he was harboured by Jemmy the Locus, who

was an assigned servant to Dr. Little, and employed as a shepherd at Gammon Plains; he invited Daley to visit his hut at a given time, on which he treacherously fired on him with a gun loaded with slugs, cutting away the lower part of his intestines. The wretched man expired in a few minutes after, and for this service Jemmy the Locus got a ticket-of-leave—the reward, however, he did not get, the authorities having condemned his cowardly mode of procuring it; and it was this circumstance that interfered with my hospitable intentions on that night.

It happened about this time that one of our shepherds, a weak and vacillating character, who had charge of a flock of wethers, returned home in the evening rather earlier than usual. The shepherds were then obliged to remain all day in charge of their flocks, and bring them home in the evening, and yard them up. This was done with a view of protecting them from the native dogs, which infested that part of the country. But to resume my tale. The sheep-yard faced the door of the hut, where I happened to be standing at the time of his arrival; and when he had yarded his flock I imagined that it looked smaller than usual, and on the impulse of the moment exclaimed, "Jack, your flock looks smaller than usual." In making this remark, I was guided by the best intentions, as I should cheerfully have travelled twenty miles in order to recover his stray sheep, and this with no other view but that of saving him from trouble, although believing him to be anything but a good-minded man. In answer to my remark, he admitted having lost them, and also that he had been hunting for them without success. I asked him why he did not, on missing the sheep, bring the remainder home, and ask us to assist him in searching for those that were missing, as he must be aware we would do so cheerfully. We next counted them out, and found he was one hundred and fifty short of his number. We all immediately started off in search, each taking a different direction. I was aware that he always took his sheep over a range of steep hills at the back of the station, and being perfectly acquainted with all parts of the run, I at once directed my steps to the top of the range, which is the highest land in that part of the colony, and the quality of which is not to be surpassed in any part of the world, the grass, as far as the eye could reach, having the appearance of young barley, and about eight inches high. The land on the opposite side of this range forms a succession of undulating hills, intersected by deep ravines and gullies, and after crossing several of the latter, at the side of one of them I found twenty of the missing sheep, which I did not interfere with. Still pursuing my course until arriving at a place called Giant's Creek, which empties itself into Hall's Creek, some twenty-one miles lower down. This part of the country was then quite uninhabited, save with native dogs, who roamed about in great numbers, and when pressed by hunger, they have frequently attacked a flock of sheep in the presence of the shepherd. But to continue. After pursuing the course of this creek for another mile, I came up with a larger number, and my dog having rounded them up, I brought them back to where I had left those I first saw; and finding two dead sheep on the way, I cut off their ears and put them in my pocket, as it is customary for the shepherds to produce the ears to the master, in order to account for deaths. I found, however, on returning to the station that I had picked up ninety of the missing sheep, exclusive of the two dead ones. It was late at night when I arrived at the station, where I learned that the other shepherds had returned unsuccessful some hours before. We resumed our search on the following morning, and between us we found all that were living, ten out of the number having been killed by the native dogs, exclusive of the two I found on the previous evening.

We now held a consultation as to what was best to be done under the circumstances, and unanimously agreed to tell the master that the affair took place on the station, when the sheep were in readiness for yarding up, and that myself and the other shepherd witnessed the occurrence, namely, an

attack of the native dogs. The master would not doubt this statement for a moment, as in nearly every case the flocks on their return to the station are not yarded up immediately. This was all well, and in the course of some time the overseer arrived with a fresh supply of rations. The hut-keeper, who was in the secret of Abbott's mishap, and also one of the league who were trying to save him from unpleasant consequences, being the first who saw the overseer informed him of the disaster, at the same time acquitting Abbott from all blame in the matter, having positively stated that the flock had been attacked by the native dogs while on the station, and in the presence of us all; on hearing this the overseer was perfectly satisfied, and everything passed off very well that night. On the following morning, the overseer, myself, and a stock-rider belonging to a station about fifteen miles lower down, who had joined us the previous evening, went out to collect cattle, and when about three miles in the bush, the former abruptly observed "that any man should be d—— who left himself in the power of another," and as he addressed himself to me, I answered that he was perfectly right in his observation, requesting at the same time to know if it applied to me. He replied that it did, and ended by saying that Abbott made him acquainted with the real manner in which the sheep were lost; being apprehensive, I suppose, that some of us might do so, I nevertheless persisted in stating what the hut-keeper had stated before, and that I was an eye-witness to the occurrence myself. "Martin," he exclaimed, "it is nothing to hurt you, on the contrary, the whole transaction redounds to your credit, you have done your master an especial service," he added, "in saving his sheep, and as for that miserable fellow, Abbott," he continued, "no person should place confidence in him, as it is quite evident he cannot depend upon himself," he concluded by observing, "that by my exertions in trying to save Abbott from the consequence of his negligence, I saved my master's property, a circumstance which he should not fail to report on his return." He then, in the presence of the stock-rider, recited the particulars, which convinced me that Abbott had injured himself and no person else; and I am now thoroughly convinced that not one of the men who were possessed of the secret would ever have divulged it. I have since met with men like Abbott, who aware of their own instability of character, measure all others by their own standard. Abbott, however, had to pay five pounds for the missing sheep, in addition to the loss of his situation. His successor was a stout athletic man, apparently weighing about thirteen stone; he had been formerly a poacher in England, and in reciting his adventures while in that line, and the number of constables and game-keepers he had disabled in his excursions after game, one would be inclined to believe him a perfect Hercules. His opinions were pretty generally respected, and if I must confess it, he received a certain amount of homage from all on the station, regarding those who did not pay him the same amount of that currency with anything but a friendly feeling. I recollect that he mentioned something about receiving a conditional pardon through the intercession of Lady Macquarie, while in the service of the Governor as coachman. I always maintained a barely civil deportment towards him, as his manner was generally authoritative and overbearing.

I was now nineteen years of age, and was what was termed a strapping fellow, weighing upwards of eleven stone, and being engaged one morning in feeding my dog in an old tin billy appropriated to that use, this shepherd asked me where the billy was, knowing at the time that it was engaged, and on my telling him that such was the case, he replied in his usual overbearing manner that I was not to use it in future until he had done with it, or he should throw it at him (meaning my dog), I remarked in the heat of the moment that he had better not, upon which he struck me a blow on the face, which set my blood in a flame, resolving to repay it with interest. I called on him to strip, which he did instantly, observing that's just what he wanted, adding that he would soon settle matters with me. I felt that I was quite a novice in this

line of business ; however, I was quite prepared to be guided by circumstances. My opponent put himself in a very imposing attitude, I suppose with a view to intimidate me, but in this he was disappointed. On exchanging a hit or two he closed with me, and, being the stronger man, brought me under. On meeting a second time, I felt more confident, seeing that my opponent did not display a very great amount of science, but he soon closed again, bringing me to the ground. At this stage of the proceedings, I came to the conclusion that I had not the real Simon Pure before me, and surveying him for a moment I planted a blow on his temple with the left hand (I use the sinister hand), which sent him to grass, where he lay apparently unconscious for the next five minutes. During the whole affair the shepherd and hutkeeper stood at the hut door, and did not interfere. As my opponent lay on the ground, I overheard the shepherd say to the hut keeper, "He has killed him, and we will have nothing to do with it." At this time my friend the poacher evinced signs of returning animation, and I asked him if he felt satisfied. He replied that he would satisfy me before he had done with me ; and getting upon his feet he once more put himself into the same imposing position, I knocked him down for the next half-dozen rounds, at which he picked up his clothes and repaired to the hut. I felt as if nothing had happened, but I do not know how the affair would have terminated had I not disabled him in the third round. He evidently felt mortified at his defeat, and appeared to regard me with a deadly hatred. During the time he remained on the station, he courted the good wishes of every person on it with the exception of myself ; and here let me say in justice to him, that he was the most careful and attentive shepherd that ever had been there.

In a short time after the above occurrence we had another visit from the overseer, it being necessary to have a beast killed for the use of the station. The late contest between Francis Purby and myself formed the principal topic, it being considered rather extraordinary that a man of his reputation and pretensions should be conquered by a boy. We learned that the master was at the intermediate station, awaiting the overseer's return. In this instance it was the master who described the particular beast he wished to have killed, while on all other occasions he left this matter to the discretion of the overseer. This circumstance when taken in connection with a casual observation let fall by the overseer, obliged me to think that some misunderstanding had lately arisen between them. The beast in question was a black heifer which the master wished to see on his last visit, but on that occasion she could not be found, having joined company with some of the wild cattle on the run. Luckily the day before the overseer's visit, I had been out and found her together with her companions, and had therefore no difficulty in pointing her out. On the following morning we went off in search, myself on foot and the overseer mounted, and in about two hours we came in sight of the herd. The overseer at once rode after them, while I placing myself in an elevated position, kept them in view. I could see, owing to the nature of the ground, that the cattle were getting the best of him, and headed at full speed up the range, and ultimately got clean away. On seeing this I immediately started in pursuit, and on running about a mile I lost sight of them. I still, however, kept on their track, seeing where they had broken fresh ground. By-and-bye they slackened their pace, for I shortly after came up with them. They were then on the summit of the main range, where I before stated I had found the missing sheep. On seeing me they started off afresh, still heading from the station, and, keeping in the same direction, ran for about two miles more. I still kept up the pursuit, sometimes sighting them, at other times losing them altogether. They now reached the head of a large gully, which ran into the Wybung, some two miles lower down, and turning in the direction of the latter, kept on at a tremendous pace for about two miles more, when they again slackened their foot. The weather was very warm, but I soon lessened the distance between us, and in a few minutes

we were at the bottom of the gully. My main chance now rested on my being able to head them up the creek, as in that case I would be sure of them, but my power of endurance was sorely tried. I inwardly resolved, however, that they should not escape, and summoning up all my energies, I made one vigorous effort, in which I succeeded. We were then eight miles from the station, and the herd as well as myself were all pretty well done up, and, still keeping in the right direction for the next four miles, they joined the tame cattle on the run.

On sitting down to have a rest, I found a lump rising in the pit of my stomach, but it soon after disappeared. I did not stop long here, not wishing to give them much time to recruit themselves. I started them on again, and again they separated themselves from the tame cattle, and running up the creek joined another mob of tame cattle, within one mile of the station, and here I left them. I then lay down for nearly an hour, still keeping my eye upon them, and by-and-bye I was joined by the overseer, who eyed me intently for a moment and then observed, "So you've got them, Martin," I answered "Yes." "Well, Martin," he added, "I do not believe there is another man in the colony, who could perform the same feat." He then expressed himself highly gratified at being saved the trouble and delay which he anticipated, being anxious to return to the farm, where the master awaited him. I believe that I have omitted in the former part of my narrative to state that this overseer had a step-daughter, with whom I became acquainted, when taking cattle to and from the farm. Her mother was a native of the colony, and spared no expense in having her daughter properly educated, as it appears that she entertained very exalted ideas relative to her future settlement; and at the time I was first introduced to her, she was both pretty and highly accomplished, possessing in addition many excellent qualities. Our stolen interviews were few and far between, nevertheless, we were much attached to each other, and she often declared to me that in choosing a husband she would be solely guided by her own opinions, a sentiment to which I entirely concurred. We, therefore, agreed to observe the utmost secrecy, as in the event of her mother coming to the knowledge of our pledges, I would be certain to get the worst of it, as my position prohibited me from even conversing with a female. We continued, however, to see each other, when business brought me to the farm, without exciting suspicion. "But the course of true love never did run smooth," is an old adage. My impatience to hear from her when I had not the opportunity of seeing her, induced me to take the teamster into my confidence, that on his visit to the station he might bring me a message, and as she was quite aware of this she sent me a letter by him, which I carefully concealed in my bedroom. Some few days subsequently both our shepherds took their respective flocks to the farm, in order to have them sheared, leaving me alone to moralise on my isolated position, possessing, at that time, all the attributes of young and vigorous manhood; yet I was as one dead, not being permitted to have feelings, wishes, or inclinations; gaining the love of a young and beautiful woman, and although sincerely returning that love, yet dare not avow it. This was not the first time I felt the degrading influences of convictism. I had not even the beacon of hope to guide me, being fully aware that the bare shadow of a suspicion of our attachment would be the cause of removing me from her sight. Moralists will smile at the idea of the outlaw, Martin Cash, talking sentiment, but let me respectfully assure them, that this, my first love, however transient, is still fresh in my recollection.

"The heart's first impression is hard to forget."

No man ever became thoroughly bad in a moment, and when in the bush, with every man's hand raised against me, I trust the public will believe that I never entirely forgot the principles I was taught to respect in my youth. I shall also endeavour to show in the course of my narrative, that I was reluctantly compelled to assume this desperate

position by a combination of unfortunate circumstances over which I had no control ; and now, in the decline of life, when calmly taking a retrospective view of the past, I thank the Almighty that he has allowed me this conviction in addition to His other blessings as a solace for the many years of peril and privation which those unfortunate circumstances entailed. But to resume my narrative, I was again on the road taking cattle to the farm, a duty which I eagerly and cheerfully performed, for reasons which the reader will be at no loss to imagine. On these occasions I was invariably treated with great kindness and cordiality, and sat at the same table with the overseer and his family, which was a very unusual circumstance at that time for a person placed in my position. This distinction I imputed to the fact of having about sixty head of cattle in charge, which was the overseer's private property, and to which I carefully attended. On arriving at the farm I put the cattle in the yard (at this time the shearing was over), the overseer after inspecting them, returned to the house without speaking a word. I thought his manner was rather singular ; however, I followed him directly to the house, and entering the kitchen the missus immediately retired on seeing me, which looked rather ominous. I waited for some time in expectation of seeing my young friend, but in this I was disappointed. I then repaired to the men's hut, and found them at dinner. By-and-bye, my friend the teamster made his appearance, and informed that Purby (with whom the reader will recollect I had quarrelled previously) had stolen my letter, and gave it to the missus, which at once accounted for my strange reception. Purby was appointed to take charge of a flock on another station, but his treachery coming to the knowledge of his mates, he thought it wiser to decamp altogether ; he also informed me that my young friend had not been seen on the premises for the last few days, being of opinion that she was then on a visit at her aunt's, at Richmond. Having heard all this, I left immediately, and on arriving at a station belonging to Mr. Cox, I called upon the stock-rider, who was an attached friend, as well as a shipmate, and making him acquainted with the circumstances, he advised me to be careful. His friendly manner and cheerful conversation made the time pass pleasantly. After breakfast next morning, I took leave of my friend and returned to the station, where I remained for some time without anything occurring worthy of remark. When I next visited the farm, the overseer informed me that I was to remain there for the present, in order to take charge of a team of bullocks, to which I very reluctantly consented. At night, having no bedding, I applied to the overseer, who told me that I must manage as well as I could until my own could be conveniently brought from the station. I answered that if he did not supply me with bedding, I should certainly return to the station for my own. This conversation took place at his residence, and his wife having joined him at the time, remarked that it was a good job that she had nothing to do with me, or she would send me to Mr. Glenney's (the magistrate), where I should get something I could not shake off for a week. I made no reply, judging that a very little would cause her to carry her threat into execution, being aware if such was her intention the overseer dare not deter her from doing so, as upon all such occasions she generally did as she pleased. The overseer, it appears, had been an assigned servant to her mother, and although he was married, and holding a responsible situation, he was still a prisoner. On finding my errand was fruitless I returned to the hut, where I managed the best way I could for that night, but on the following morning I again applied to the overseer for bedding, observing that if he did not provide me with some I should return to the station for my own. I spoke in this manner, being under the impression that both the overseer and his wife were trying indirectly to annoy and punish me. He then ordered me to go to my work, in place of which I returned to the station, and on my way called upon my old friend, who, upon hearing the particulars, was of

opinion that nothing could save me from trouble, and requesting me to remain where I was until he returned, he mounted his horse, and was immediately out of sight. I remained at his place that night, and as he did not return I hastened on to the station, and having packed up my bedding, returned at once, resolving to brave all consequences. I found on reaching my friends place that he had not yet returned, and being curious to learn what caused him to leave so abruptly on our last meeting, I remained until late in the evening, when I espied him riding leisurely across the plain. I knew that his master occupied a farm some fifteen miles lower down, and was under the impression that business might have called him there. But this idea was quickly dispelled on meeting him, as he told me that he had seen the overseer, and made my affair all straight, adding that I might now return to the station, as my business was concluded at the farm, which I did on the following morning, and in a short time after I applied for a ticket-of-leave. The next time I had occasion to call at my shipmate's I was much surprised to find the overseer and bullock team encamped there for the night, on their way to the station; and here I learned that my application had been successful, and that my ticket-of-leave was then at Mr. Glinney's. On the overseer communicating this pleasing intelligence, I was congratulated by all present. I had now the first glimpse of freedom that dawned upon me since leaving my native land, and perceiving a gleam of pleasure on the faces of those around me, I inwardly felt grateful for the evident signs of good feeling with which they regarded me. And here let me respectfully assure my readers that among that prescribed class to which I unfortunately belonged, I found true and disinterested friendship. But to continue. The overseer informed me, among other things, that he expected my master would be at the farm on his return, at the same time giving me a hint in reference to a fresh agreement; but not having as yet struck out any definite plan of proceeding, I made no reply. In a day or two after we reached the farm, where I saw the master, who observed that he was glad that I was about to get a ticket-of-leave, and having briefly commended my conduct, asked me if I intended to go back (meaning to the station), to which I respectfully replied in the negative, having other views at the present. He then reminded me of the necessity of mustering the cattle, and delivering up charge; and on assuring him that this had been done already, he again asked me, in a more conciliatory tone, if I had any particular wish to leave him. I replied that I had not, provided he gave me the same amount of salary, with other advantages, which I knew I could find elsewhere. He wished me to explain these advantages, and in doing so I had to mention the names of two gentlemen who some time previous had offered me twenty pounds per annum, and the use of a horse, when I should get my ticket-of-leave. I also pointed out the difficulty of taking charge of his stock, owing to their wonderful increase, without the use of that appendage. To be brief, I entered into an agreement with him a second time at twenty pounds per annum, with the use of a horse, and a few other minor indulgences with which I shall not trouble the reader. I afterwards repaired to Mr. Glinney's, where I took up my ticket-of-leave.

My master at this time was getting wealthy, having in addition to his other stock six thousand sheep (it will be recollected that the colony of New South Wales was then in its infancy) he possessed also one hundred head of cattle, not including his working bullocks, and in his domestic affairs he was equally prosperous, his lady bringing him an addition to his other comforts regularly once a year during my time.

The regulation for ticket-of-leave holders at that time differed materially from those existing at present. In the first instance, they were not permitted to be in possession of property, and had to attend muster once a month; but at the present they are in possession of all the privileges attached to freedom. I resumed my duties at the station, and in some little time after a gentleman named Clements, who was then super-

intendent for Captain Bingley, called at the station on his way to Sydney to engage with some assigned servants, intending to take them back in company. He expressed himself well pleased with the general appearance of the station, cattle, &c., and after taking some refreshment took his leave, promising to call upon my master, and strongly recommended me for the manner I performed my duties, for which I thanked him respectfully, and it would appear that on his return from Sydney in company with three prisoners who were assigned to his employer, he came in contact with Donoghue, the notorious bushranger. The meeting took place at the Bulger road, which ran along an interminable chain of hills for the distance of one hundred miles. Mr. Clements on seeing three armed men some little distance in advance, observed to the assigned servants that he would ride up and capture them. He had not far to ride, however, before reaching the party he was in pursuit of; the men in the rear could, therefore, hear and see distinctly what took place. Mr. Clements at once called upon the three armed men to stand and throw down their arms; but they treated his call with derision, which put him out of temper, and on repeating the command he took a pistol from his breast pocket, on which one of the bushrangers ordered him to put that back again; but on his attempting to cock it he was instantly shot by one of the party. He certainly must not have known he was addressing Donoghue and his party, and if he did he exhibited a woeful deficiency in judgment, as a more firm and determined character than Donoghue never took up arms in Sydney or anywhere else.

In the preceding part of my memoirs I casually alluded to a misunderstanding which had arisen between my master and the overseer, occasioned, I believe, by some dispute between the latter and the dairyman, who was known by the soubriquet of Blind Jemmy, who, in a spirit of revenge, informed the master that the overseer was in the habit of clandestinely making away with the produce of the dairy. On receiving this information the master came to the farm, bringing with him a man named Waterford, who was one of his working hands at the time of my first arrival. The master gave him full charge of the farm, and gave the overseer into custody, but as Blind Jemmy could not prove his assertions, the case was dismissed. Under these circumstances the overseer should have been set at liberty, but now his unfortunate position became apparent, as he was left for the consideration of Governor Burke, who, in some short time after had him released and granted him a ticket-of-leave, in order to legalize his marriage. Blind Jemmy had been formerly picked up by the overseer and his family near the Hunter River, where he was left in a most wretched condition by the natives, who beat him very severely; his sores were putrid at the time he was found, and but little hopes were entertained of his recovery. They, however, conveyed him to the farm in a bullock-dray, the overseer and his family being then on their way, the former to fill the situation which he had recently lost through Blind Jemmy's instrumentality. The latter on his recovery being appointed as dairyman, the reader will therefore see in what manner he repaid his benefactor. I regretted the removal of the overseer, notwithstanding our little altercation, being always of opinion that he wished me well, however, himself and his wife had now to leave the farm, everything on it being given in charge to Waterford.

My master, with a view of opening a new station, had a number of cattle selected, consisting of young steers, two year old, and young heifers also, which were to be kept from breeding until sufficiently grown, and having appointed John Johnston, who I have mentioned before, to take charge of them, we started on the following morning, crossing a stupendous range of hills, which divides the country between the Hunter River and Liverpool Plains. It occupied a day in gaining the summit, and I have never beheld such magnificent scenery. We here measured two cedar trees, and found them thirty and thirty-four feet respectively, in circumference; on the other

side of this range, the country assumed quite a new aspect, the foliage not bearing the slightest resemblance to that which we had left. We encamped that evening at a place named Yarramanba, keeping the cattle together the best way we could until the night set in, when we were obliged to let them take their chance. On the following morning we found that forty of them were missing. The master and the new overseer being of opinion that they had recrossed the range on their way back to the station, bent their steps in that direction, while I directed my course in quite a different part of the country, judging that had they been old cattle the master would be right in his conjectures; but as they were all young I could not agree with him in his opinion. On travelling onward for about two hours through the most magnificent country I ever beheld, I at length had the good fortune to find what I was in pursuit of, and bringing them back to our encampment. I found that all were still out in search, except the hut-keeper, who provided me with some breakfast, after which I saddled my horse, and went on leisurely, with the cattle, telling the hut-keeper to apprise my master of the circumstances on his return. They shortly afterwards joined me, and on my master assuring himself that I had all the missing cattle, he appeared to be much pleased. In the evening we reached the open plains where we halted to take some refreshment. We were now distant about one mile from a cattle station, the name of which has escaped my memory. I merely recollect that it was the first of a series of cattle stations which were interspersed along that line of country. We reached this station and found that it was situated on rising ground, which afforded an excellent view of the country for some six or seven miles on either side, and I may as well here describe what I subsequently heard relative to this station, which is as follows:—

Shortly after its formation (some ten years previous) the natives who were then wild and untractable, looking upon the whites as intruders, resolved to attack the station. The whites (seven in number) being apprised of their intentions kept on the *qui vive*. One morning, however, they descried a string of natives extending for nearly three miles approaching the hut; they could also perceive that they were all painted and armed with spears, boomerangs, and nulla-nullas, and were not accompanied by their women, the latter circumstance at once revealing their intentions, as upon their war excursions they invariably leave their women behind them in camp. On nearing the hut they commenced to yell, and discharged a shower of spears, which was instantly answered by a volley from the whites who were stationed inside. The natives continued their attack on the hut with spirit and determination; and having reached the roof, which was covered with the bark of the box tree, immediately commenced to strip it, but the party inside as the bark was removed, shot them one by one off the roof, notwithstanding which they still persevered, and in a little time the roof was nearly divested of its covering. The fire from the interior of the hut making fearful havoc amongst them, still they maintained their ground, and kept up the attack with the utmost bravery. The conflict lasted for three hours, and the natives having lost a great number, retired some distance from the hut in order to hold a conference, and the whites taking advantage of this circumstance (the hut being at this time partially dismantled) slipped out unperceived and took up their position some distance in rear of the hut, and from which, if necessary, they could effect their escape; but it appears that the natives had enough of it, as they did not renew the attack. The whites, who received no injury, immediately commenced to repair damages, but it occupied the next two days in burying the dead bodies, which lay scattered around the hut. The exact number killed on that occasion was never properly ascertained. The affair was hushed up, the Government not wishing to give the matter publicity. Many people subsequently visited the spot and some were of opinion that two hundred of the natives had fallen on that day. I gathered the fore-

going facts from a stockrider named William Taylor, or Bill Taylor as he was familiarly called, who participated in the fight. Having passed this station we travelled the next twelve miles over a perfectly level plain without finding water, and to add to our discomfort the day was intensely warm, and at nightfall we reached Burns's station, situated on the banks of the Mukü River, and we were here joined by the bullock train, which had to take a more circuitous route, in order to avoid the almost inaccessible mountains which we crossed on our route. We remained at this station for the night, and the next morning continued our journey, meeting with nothing worthy of remark until we arrived at the last station, known by the name of the Breezer, belonging to Potter Maguire, who was supposed to be the most extensive cattle owner in New South Wales. About a mile the other side of this station we arrived at a plain extending for twenty miles, without the slightest appearance of vegetation ; not a tree could be seen for the whole of that distance : it was perfectly level, and being surrounded by a chain of hills formed a sort of amphitheatre, the Mukü River running through the centre. We encamped at the extremity of this plain, and the next day the master selected a site on the banks of the Namoi River, which he imagined was likely to answer his purpose. The source from whence this river takes its rise was not then known. Codfish weighing from twenty to thirty pounds have been caught there. We left the stock-rider, the bullock-driver, and the hut-keeper to erect a temporary stock-yard and hut, and make their necessary arrangements, while I, in company with my master and the overseer, commenced our homeward journey to the station ; and halting at Mr. Blacksel's, eight miles from Yarramanlea, we here found a number of stock-riders belonging to the different cattle stations in that locality. They appeared to be young men, natives of the colony, and after supper they thought they would amuse themselves at my expense, as previous to starting on my journey I had donned what they termed a new chum suit, thinking it best adapted for warm weather. It consisted of duck trowsers and striped shirt, the pattern of the latter bearing resemblance to those worn by men who had recently left the prison. One of them asked me the price of bacon when I left home, and also how long I had been in the colony ; and having answered in the same good-humoured strain, I was again interrogated as to the length of my sentence from home, to which I replied that I was a lifer. I was then complimented upon my good fortune, being certain of bread for life. We were now joined by my master and Waterford. A series of the most improbable tales were now recited by some of the wags of the party, who vied with each other in dealing in the marvellous. One stated that he lost his wife some few days back, and was of opinion that she was carried off by the natives ; but on going into the garden, to select a pumpkin for dinner, he found his " missus " inside one of them. The party seemed to be much surprised at this circumstance, when another averred that his wife had lost a flat iron weighing seven pounds, and did not find it for several days, although making diligent search ; at last, when putting her hand in her pocket, in search of her thimble, she found the missing article. This seemed to amuse the company, who never attempted to dispute the veracity of the reciter, when a third, after expressing his wonder in a very becoming manner, observed that he had nothing to relate that could be at all compared with the foregoing, having merely witnessed a very great flood on the plains some few years back, and the most singular part of the business was that the cows ran up the trees, and called their calves after them. This was considered as very remarkable, and the narrator was respectfully requested to examine his log, and see if he could not let them have something else. Of course I was quite aware that all this was got up for my especial edification. In the company there happened to be a young man, apparently about seventeen years old, who was hut-keeper on one of the adjoining stations, and who appeared perfectly innocent of soap

and water for the last six months ; his hair protruded from the crown of his hat, which was broken in many places, and taken altogether he looked as if he would be better, if not cleaner, by losing some of that appendage. One of the party, addressing him, politely requested to know if his barber had committed suicide ; but before he had time to reply, another respectfully solicited the office, and after duly discussing the manner in which the operation was to be performed, the person who witnessed the flood suggested a fire-stick, which being unanimously agreed to, the young hut-keeper was conducted to the centre of the room, begging at the same time that they would not crush him under the weight of so many obligations, and after expending all his eloquence, and finding the newly-appointed barber inexorable, he at length submitted. They then applied the lighted stick, his hair instantly catching fire ; but whenever the stick came in contact with his head he roared out lustily, but they continued to singe all the hair off his head, without doing him any material injury. He was then set at liberty, and joined in the joke at his own expense as heartily as any person present. The conversation having now turned upon business, my master, on seeing a very nice garden in rear of the hut, observed that I should have a similar one at the Wybung. I therefore inquired of one of the party if the stock-riders in that part of the country cultivated their kitchen gardens in addition to their other duties. He replied that the hut-keeper generally performed this duty. I then observed to my master that as this contingency formed no part of our agreement, and as the term of my engagement had nearly expired, he would be at perfect liberty to provide himself with a substitute when he thought proper, and having stated his intention to do so, the matter ended. The stock-riders who had been making merry at my expense now turned their eyes on me, being convinced by the conversation that took place that I must be either a free man, or at least in possession of a ticket-of-leave, and therefore not a recent importation, as they understood me to be in the first instance. On inquiry they found that I had then been six years in the service of Mr. Bowman, on learning which I could see that I became a person of more consequence in their estimation. On leaving the station the following morning they one and all treated me with every mark of confidence and cordiality, assuring me that should any of our cattle stray off the run, they would be kept quite safe by those of the company who should find them, and also that they should give me a call when business brought them into my part of the country. On our return we passed a burning mountain, and as I have not heard it before alluded to, I venture to make a passing remark in reference thereto. It forms the central portion of the main range which I have already described, as dividing the Hunter River country from Liverpool Plains, and was first discovered by a man named Northy, who, at the time of the discovery, was assigned to Dr. Little. On making his master acquainted with the circumstance, that gentleman made light of the matter, observing that it must be a fire made by the natives, or something to that effect ; but he lost no time in communicating the fact to the authorities in Sydney, for which he received a grant of land. I am not aware if the grant in question was quite as extensive as a prior one made to a Mr. McArthur by Governor Macquarie. The former gentleman, while entertaining the latter, took the opportunity, while at dinner, to ask the Governor if he would grant him a small bend on the banks of the Cow-pasture River, which was immediately acceded to. This small bend comprised an area of thirty thousand acres of excellent land. But to return to the mountain. It can be seen at the distance of eighteen or twenty miles, emitting a column of smoke during the day, which at night assumes the appearance of fire. We ascended to within one hundred yards of the summit, but dare not proceed further in dread of being suffocated. In our descent we picked up some pumice stones, which we put in our pockets, and were afterwards surprised to find that they had burned their way through. I have known this pumice stone to

be mixed up with the usual concomitants for sheep-dressing, and in every instance where it was applied it killed the sheep. Judging from the size of the column of smoke that issued from the crater, we imagined the latter to be about three hundred yards in circumference, and it is the opinion of many that it still continues to get larger. On arriving at the base, my master and the overseer took the nearest route to the Hunter River, and I returned alone to the station.

Mr. Bowman made it a general rule that any of his shepherds who reared the greatest number of lambs was to receive a heifer as a present, all of which had a peculiar brand, and at this time were about ten in number. The shepherds requested me to dispose of them as they had not an opportunity of doing so. I therefore purchased them myself, although not permitted by Government regulation to be in the possession of property; yet I trusted that as I was about to become free everything would turn out fortunate, and when that time arrived I should have something to start me in life. About this time I had two cows with their calves given me as a present by two gentlemen, viz., Mr. Palmer and Joey Brown, of Cockfighter's Creek, having found some of their cattle which strayed from their respective runs; and not thinking it necessary to mention similar presents which I had previously received, I must now inform the reader that I had a very respectable number of cattle, which when I obtained my freedom, I could call my own. I was visited by a stock-rider from the adjoining station, who in the course of conversation casually informed me that a man apparently a gentleman who had been recently appointed as storekeeper for Mr. Frazer, at Bow Plains, was in his opinion a countryman of mine, and also that his wife appeared to be a very interesting person. He added that he intended to pay them a visit on that day week, and if I would accompany him he should be happy to introduce me, to which I immediately consented, and on the day appointed we both rode over to the new farm, where I found an acquaintance who had previously stopped at the Wybung for a couple of days. His name was Thomas Hedger, a native of the county Kildare, and a most expert wrestler. We were shortly after introduced to the storekeeper's "missus," who, by-the-bye, appeared to be at the time the most beautiful person I ever beheld, being a finely proportioned woman, with a very fair complexion, light blue eyes, and dark auburn hair, and appeared to be about twenty-two years of age. I could not take my eyes off her, and felt very much embarrassed on one or two occasions when she appeared to be conscious of my admiration, as I had not the presence of mind to conceal it. My friend on introducing me informed her that I was an old and much esteemed acquaintance, on which she entered freely into conversation, asking me many questions touching the length of time I had been in the colony, and also how far it might be to where I resided, to all of which I responded with a feeling of embarrassment for which I found it difficult to account. She observed that I was too young to be free, having heard from my friend that I had been a prisoner. I then made her acquainted with my real position, and also the time I expected my freedom. In a few minutes after my friend, who did not appear to take a part in the conversation, left us *tête-à-tête*. I cannot attempt to say how long I remained in the company of this charming person. I am only aware that a line from the poet who never had an equal, forcibly recurred to my memory

"The golden hours, on angel wings,
Flew o'er me and my dearie."

Moralists will condemn me, and with good reason, but I would beg to remind them that I was young, untutored, and totally unaccustomed to female society, and also that the person in whose company I found myself for the first time excelled all others that I had ever seen, both in person and accomplishments. I have nothing more to offer in extenuation, saving the fact of possessing a very large share of my national susceptibilities, however, I

was soon awakened from my dream of happiness, by the entrance of a very tall, well-proportioned man of a rather swarthy complexion ; he was accompanied by the stock-rider, and saluting me very cordially, I soon came to the conclusion that I was in the company of a gentleman. We passed a very agreeable evening, myself and companion being quite charmed with our hostess, who by her refined and affable manner set every person in company at their ease. We remained there until after breakfast the following morning when we took leave of our kind host and his fascinating wife, who gave us a general invitation to call at any time we were passing.

On reaching home, I found orders awaiting me to collect some cattle, and take them to the farm. This I did as speedily as possible, taking back with me two cows belonging to Waterford, which was all he possessed. I regretted that he was so poor, having always considered him a good meaning man, and one who did not believe in police offices and gaols. If one of the servants did anything wrong, he would sooner resort to fisticuffs than give him in charge of a constable, although I don't by any means believe that he would stand the same amount of punishment that Heenan received when fighting with Tom Sayers. I merely draw this inference from an occurrence which I witnessed some time previous, and in describing it I shall endeavour to show that Waterford was possessed of prudence as well as valour. On the occasion alluded to, the latter had some altercation with a shoemaker named Shannon, who lived at Patrick's Plains, and before the latter was aware of the other's intention, Waterford knocked him down, and at the same time jumping on his horse was out of sight a moment after. The affair caused a laugh, but we all knew—and it appears Waterford knew also—that it was the safest plan he could adopt, as Shannon had the character of a bruiser. But to resume my story. On my return I called at Mr. Cox's station, where I heard that my old friend and shipmate had carried off a married woman named Mrs. Kelly, her maiden name being Georgiana O'Neil. She was one of fifty who were sent from Parramatta to Newcastle gaol for insubordination, and when some short time in prison the Governor gave them permission to marry. It was in this prison that Kelly selected her as a wife. Resolving, however, to satisfy myself as to the truth of what I heard, I repaired at once to his place, and on seeing him he admitted that Mrs. Kelly was then in the house. I represented the folly of keeping her there, as he must be aware that she would be reported as an absconder, and advised him that, having committed himself so far, his best plan now would be to send her to some place of concealment, which he did the same evening. They lived together for some time, until a reconciliation took place between herself and her husband, who, as a matter of course, was compelled to bring her before Captain Pike, who acquitted her on a promise of future good conduct. On leaving the court, however, some slight misunderstanding arose between them, and the husband brought her into court a second time, when she was sentenced to fourteen days solitary confinement ; she was then locked up, and the next morning started under escort for Newcastle, a distance of ninety miles, in order to undergo her sentence. My old friend, after her departure, thought he would pay her a visit, and while at Newcastle he had a fall from his horse, fracturing his thigh, which afterwards mortified, and caused his death. I ask my readers' pardon for digressing, and must beg to inform them that some few days subsequent to my return to the station, I was visited by a stock-rider under the cognomen of Cork Mick, who was in the employ of Merchant Jones, and stationed some five miles from Bow Plains, where it will be recollected I had spent such a pleasant evening some short time before. He informed me that he stopped at the latter place on the night previous, and also that the storekeeper's "missus" made various enquiries respecting me, making some very flattering remarks, with which I shall not trouble the reader. I assumed an air of *nonchalance*, although greedily devouring every word, and resolved to visit Bow Plains as early as

possible. I did so, and was hospitably received by the hostess, who expressed her happiness at seeing me, adding that her husband had notice to leave, a circumstance which left them very awkwardly situated. She also stated that it was her husband's unfitness for the situation which occasioned this, and as they had expended nearly all their money in Sydney before coming up the country, she really could not imagine what they were to do. It appears they were only six months in the colony. She next enquired if I went to "Schofield's." This was a public house fifteen miles lower down, on the road leading to Sydney. I replied that I did, and was intimate with the family before they went to reside there. She then informed me that they should take that road, and would leave on that day week. I expressed my regret at parting so soon, and observed that if I was certain of such being the case I would be at "Schofield's" on the day named, in order to take my leave of her. She next enquired if I knew of any situation which her husband was at all likely to fill, or if I thought there was any probability of him getting employment from my master. I answered that I did not think my master had any employment that would at all suit him, but that I knew of something that might suit herself. She did not seem to understand my last observation, when I again asked her if she was certain of leaving on the day named. She replied that they had no choice, her husband having received notice to the effect. We were here interrupted by the entrance of the latter, who, after the usual civilities, informed me of what I already knew.

I remained all night, and returned early the next morning. A vague and undefined dread of losing my new acquaintance took possession of me, and being young and inexperienced, I could not see the impropriety of gratifying the desire I entertained of bidding her farewell at the place appointed. Being out cattle-hunting, in company with the stock-rider who first introduced me to her, I informed him of my intended journey to Schofield's on the following morning, but that in any case I should not make him acquainted with the nature of my business until we arrived at our destination. He did not appear to like this, and tried every subterfuge to get at my secret, at last coming to the conclusion that it was an affair of gallantry with one of Schofield's daughters; however, I undeceived him on getting in sight of the house, and in a few minutes after I introduced myself to Mrs. Clifford (the name of the person who made the appointment), she told me that they had arrived some three hours before, and that she was afraid I had forgotten the appointment. I assured her that there was not the slightest chance of my doing so, and expressed myself highly gratified to learn that my coming was a matter of the slightest consequence to her, observing that had she been single, I should use every effort to detain her. My last observation I could see called up a blush, however, by-and-bye I had the satisfaction to learn that I was not altogether indifferent to her, and to be brief, before leaving Schofield's, we arranged that she should elope with me on that day week, being visited, however, with feelings of compunction in reference to her husband, I reminded her that it was a serious affair, and that by her reconsidering the matter, she might possibly alter her determination, she replied that the world was at liberty to judge her as it thought proper, but that her present connexion was in a measure a forced one, and however she might regard him with feelings of gratitude, she never could with those of love and affection, giving it as her decided opinion that he would be better without her, as he did not appear to be able to provide for himself. She also begged that I would not consider her heartless, appearances being very much against her, declaring at the same time that I was the only person she had yet seen whom she could love, and that having confessed this much she would tell me no more, nor should she have told me so much, if not impelled by the consideration of losing me for ever. I here assured her that as she came to the resolution of sharing my fortunes, nothing should be wanting on my part, and placing a ten-pound note in her hand, we agreed to separate

for the present, with the understanding that she was not to accompany her husband any further, but remain where she then was for the next week, and then return with me ; on this we parted, she entering the house, and I proceeding in search of my mate, whom I found in conversation with Clifford, we all three returned to the house. I had some pity for the man, and if it will not be too late, I would beg to inform my readers that I gave her strict injunctions before parting that she was not to retain one penny of his money, on the contrary she was to give him the whole of what I had given her if he needed it, as she could have anything she wanted at Schofield's, on the understanding that I would be answerable for it. On entering the house we all had a glass or two, and being recognised by some of the teamsters, I called for a gallon of rum for all hands, and in a few minutes we departed on our way to the Wybung. My mate on our return appeared to be very loquacious, appearing to sympathise very much with me for the very great loss I was about to sustain, the next moment expressing his wonder how a person so irresistible as myself could be so sadly disappointed. I let him fire away until he tired himself out, merely observing that my case might not be so utterly hopeless as he appeared to imagine, and wound up by giving him an invitation to call upon me in the course of a week, when I would be able to show him a new piece of furniture which I had recently purchased, in order to embellish my hut at the Wybung. He comprehended my meaning in a moment, and began to take some credit to himself for his diplomacy in keeping Clifford engaged in conversation, and thereby leaving the field open for me to make advances ; but this I was aware was merely an accidental circumstance, however, I made him acquainted with the particulars of my late intrigue, which caused him to pull a very long face, particularly when I described the money part of the transaction, at which he whistled, and exclaimed, "Martin, you are softer than I took you to be, Clifford told me that he intended to be off this afternoon, and I have no doubt your generosity will facilitate his movements." I replied that if such was the case I could not help it, and that having a certain amount of respect for both of them, I should not repent of my generosity, if it would in any way conduce to the comfort of either or both, I did not entertain the slightest doubt of her sincerity, although not contending the matter with him. On reaching the station we parted, and on the appointed morning I made an early start, not permitting the grass to grow under the hoofs of my horse on the way, being anxious to learn if my inamorata would remain faithful to her promise. I had scarcely dismounted, when I found her standing by my side ; I now learned that after my departure she informed Clifford that it was not her intention to proceed in his company any further, and also that from that time their connexion should cease. She appeared to be much effected, and concluded by observing that Clifford left the same evening. We then entered the house, and as Schofield and his family had seen me conversing with her in the verandah on my previous visit, and finding that she declined to accompany her husband, they were at no loss to divine the cause. At that time occurrences of this nature were so frequent in New South Wales, that they scarcely elicited a remark. My companion (as in future she will be known by that designation) now suggested a speedy exit, as under the circumstances she felt ill at ease in the presence of the family. We, therefore departed, and on our way home she informed me that her father was an officer in the 16th Lancers, and was then stationed in India, and that herself was educated in some seminary in England, after which she returned to her parents, where she first saw Clifford, who was then a cornet in the same regiment, and who being considered a very eligible match, her father in a measure compelled her to marry him. His relatives were the great ship-owners, Money Wigram and Sons, who were deemed immensely rich. After his marriage, he appeared to take a dislike to the army, and contrary to the wishes of her parents, he sold his commission and

took her back to Ireland, he being a native of Wexford. While in Ireland, he gave himself up to dissipation, and in the course of a little time he found himself without the means of indulging in his extravagances any longer. He then returned to England, where he met with a very cool reception from his friends, who observed that the colonies would be the best place for him to retrieve his fortunes, and that should he feel inclined to go to any of them they offered to provide him with a passage, and three hundred pounds on landing. He gladly accepted their terms, and on arriving at Sydney he fell back upon his old principle of spending what money he had without wasting a thought on the future, and in fact, it was only when reduced to his last guinea that he sought and obtained the situation in which I found them, and for the duties of which it would appear he was not at all adapted. She concluded by expressing an earnest wish for his welfare, remarking that in respect to herself she never, from the date of their marriage entertained any other feelings towards him than those of disgust and indifference. She also casually observed that he had a brother-in-law, who was a parson, and occupied the Glebe-house in Belturbet, in Ireland, and having taken her there on a visit, she found in a day or two that they were getting tired of their company, in short, she had long since come to the conclusion that he would do very little for himself, and that his friends were inclined to do less, giving it as her opinion that as she could not regard him with that amount of respect which every woman should entertain for her husband, it was better she should leave him, and thereby enable him to provide for himself. In admitting the truth of her last observation, I begged to remind her that a person brought up in the style she had been might not feel happy in consorting with an uneducated person like myself, and that unfortunately my circumstances would not permit me to maintain her in the manner she had hitherto been accustomed to live. She answered that all those considerations went for nothing, as long as I treated her with kindness, at the same time expressing her readiness to put up with every privation, so long as I continued to give her my confidence and protection. This I faithfully promised to do, as under the circumstances I could not with any degree of manhood withhold either; and I here informed her that we should commence housekeeping under rather favourable auspices, as I had been a free man for the last thirteen days, a piece of information which appeared to give her infinite satisfaction. At length we reached our destination, where, to be brief, we lived for the next two years, enjoying a reasonable share of happiness, and I can only say that at the end of that time I loved her better than when I first knew her, and saving the unhappy consideration of her once belonging to another, I found her possessed of every quality that a man might covet in a faithful and affectionate wife. At this time I formed an acquaintance with a man named John Boodie, who owned upwards of five hundred head of cattle, and was also the possessor of two valuable farms, situated within forty miles of Sydney, upon one of which his mother, brothers, and sisters resided. His father having been drowned while crossing Windsor River in a boat, the property reverted to him, being the eldest son, and having a station at the extreme end of Liverpool Plains, we often collected cattle in company, and by-and-bye got upon very intimate terms. I had twenty young heifers on his run, and placed every confidence in his fair dealings. He came to me one morning, and asked me to assist him and his brother in branding some cattle; and not suspecting for a moment that there was anything wrong, I instantly complied, and while so employed we were joined by two persons who were total strangers to me. They merely remained for a few minutes, and then departed. Boodie now informed me that the cattle we were branding did not belong to him, and that as the persons who had just left us were perfectly aware of the fact, the best and safest plan for either himself or me to adopt would be to leave the colony immediately.

The reader may imagine with what consternation I heard this avowal,

which again placed me amenable to nearly the worst consequences of the law, without receiving the slightest benefit, or having the least power to avert it, being quite aware of the fearful sentence that awaited any person detected in such practices, viz., transportation to "Norfolk Island for life," I therefore resolved on following his advice if possible, and detailing the circumstance to my companion, we made our arrangements accordingly. Waterford at this time had just arrived from the farm, and on hearing what had occurred strongly advised me to take my horse at once, and that he would assist me in collecting what cattle belonged to me, stating his opinion also that I should dispose of them at once and leave the colony. I thankfully accepted his kind offer, and on collecting fifty head of cattle, my own property, I sold them for £100. I then purchased a horse, bridle, and saddle, and returned to the station, which had formed my home for the last nine years, and where my companion anxiously awaited me. I had now upwards of £200, and after representing the impossibility of our remaining together under these circumstances, I presented her with the half of what money I had, advising her to return to her friends, but this she positively refused to do unless in my company, reminding me of the promise I had formerly made her. On which I consented to take her with me, and having packed up our things, being obliged to leave the greater part of our wearing apparel behind us, we travelled on to Mudgee, a distance of one hundred miles, where we were entertained at Mr. Blackman's, who was then a very wealthy settler, and a more plain, unostentatious, or warm-hearted family I never was acquainted with, and which consisted of the father and mother, two sons, and two daughters, all grown up, the two latter evincing a great liking for my companion, who was busily employed cutting out patterns for the young ladies, who persuaded us to stop for the next day in order to give the horse a rest, and being aware of the absolute necessity of doing so we complied. During the day I informed Mr. Blackman that I had some cattle on a run at the opposite side of the country which I intended to collect, and also that that it would take me a fortnight to do so, requesting him to permit my companion to remain at his place until I returned, observing that I should cheerfully pay all expenses, but he would not hear anything of the latter, although cheerfully assenting to the first part of my request, remarking that the girls (meaning his daughters) would do all in their power to make her comfortable in my absence. This matter being settled, we remained until the next morning, when, at an early hour, the two sons, together with a farm servant, turned out to milk, and I turned out also. The cattle had in every instance to be bailed up, and on their seeing that I intended to take a part in the work they selected one for me. Any person who has had the management of cattle will know that some cows are much more difficult to milk than others, and I found in a moment that I was engaged with one of the most troublesome cows I ever milked. However, being pretty strong in the wrists I contrived to get through the business in a very short time, having only seen one man in the colony of New South Wales that excelled me in this particular and he was an assigned servant to Mr. Hall, on the Dark Brook Creek. On finishing our work we all returned to breakfast, and during the meal my abilities as a milkman were fully descanted on, upon which Mr. Blackman signified a wish to secure the services of me and my companion, but this I was obliged to decline; and after making the necessary arrangements departed on my mission the following morning turning my horse's head in the direction of the Namoi before reaching which I would have to travel some two hundred miles, having an abundance of the finest feed for my horse along the whole line of country. I was fortunate also in finding cattle stations, where I could halt for the night, the inmates invariably treating me with the greatest hospitality. On arriving at a cattle station some twenty miles distant from my destination, I found some of my own cattle, the stock-rider informing me that his master had recently purchased

them from a man named Boodie (the author of my present misfortune). The next day I reached Mr. Coxan's station on the Namoi, and being on intimate terms with his stock-rider, I informed him of the manner in which I had been tricked in the branding of the cattle, and also what I had seen and heard on the previous day. He appeared to be quite aware of the circumstance, and told me that he also knew that Boodie sold all my cattle, adding that the police had been there in search of him a day or two back, believing that he was still concealed in the neighborhood. Having remained for the next three days at this station, in order to rest my horse, the stock-keeper, whose name was Hewson, advised me to take Boodie's cattle in lieu of my own, remarking that if it was his case he should take them all, as from the treatment I received I would be perfectly justified in doing so. He offered his services in assisting to gather them, and, acting on his advice, we collected forty-two head of cattle, with which I started on my way back; and having travelled about one hundred and fifty miles I halted at Gentleman Jones's farm at Toree. The manner in which he was dubbed a gentleman, I believe, was as follows:—Being foreman at the building of Windsor church, the Governor on one of his visits enquired at what time it would be completed, and on Mr. Jones stating his opinion, the Governor observed "You are a gentleman," and while he lived afterwards he went by the name of "Gentleman Jones." In putting my cattle up for the night I informed Mr. Jones that I was taking them to Maitland, with a view of disposing of them, and the next morning he took them off my hands for £160. He was about to draw me a cheque for the amount, to which I objected, alleging as a reason that I might find some difficulty in having it cashed at Maitland. He then gave me two £5 cheques, and one for £150, which I pocketed as quickly as possible, and decamped. At that time there was no town within one hundred miles of Toree, the country being studded with sheep and cattle stations, and nothing but bridle roads stretching away to any distance throughout the country, and being aware that Gentleman Jones would soon learn the value of his purchase, I put him off the scent by telling him I was bound for Maitland, my business leading me in quite an opposite direction. To be brief, I reached Mr. Blackman's in three days after, my horse being completely knock up, being just twenty-eight days absent altogether.

I found my companion very much altered in appearance, owing, I believe, to her want of confidence in me, as from what I could learn she very much doubted my return. On reflection I could not blame her for this, as at her own solicitation took all the money we were possessed of, in my pocket on starting for the Namoi. Her doubts respecting my constancy having been put to flight, we spent a very pleasant evening, and a more amusing person than Mr. Blackman I have seldom met with. He appeared to be thoroughly acquainted with the archives of the colony, and among other things related the following incident, which he averred to be a positive fact. Governor King, who was very eccentric, and a second Haroun Alrashed in his night adventures through the city, invested one of his domestic servants, who was a prisoner, with the dignity and authority appertaining to his own office, as governor for the space of two hours, during which anything the servant might propose or enact, while so invested, would be just as valid as if emanating from the Governor. The servant, having exercised the duties nearly the allotted time, was informed that there was a person outside who respectfully solicited an audience (which, it appears, was no less than the Governor himself); but on being permitted to state his business, he earnestly begged that the quondam Governor would take compassion upon him being a prisoner of the Crown, and restore him to liberty. His newly-created excellency granted his petitioner a ticket-of-leave, and the time having expired, the farce ended, and the real governor assumed office, informing his servant that what he was pleased to grant his petitioner, viz., a ticket-of-leave, should be handed over to him, and that if he was more liberal and ordered his peti-

tioner one thousand acres of land with hands to work it, he would also receive it, but as it was only a ticket-of-leave, he congratulated him upon his acquisition. Mr. Blackman also related many other amusing stories, which I cannot recollect. On signifying my intention to leave on the following morning, the daughters packed up a quantity of provisions, among which was a whole cheese, and having secured it on the back of the horse, we took our leave of this kind and generous family, and continued our journey arriving at Bathurst after nightfall, putting up at a public-house (the only place at that time where travellers could get accommodation). On our entrance I noticed two gentlemen in the verandah, one of whom proved to be the landlord. We had not been long in the sitting-room before we heard a knock at the door, a policeman making his appearance immediately after, who at once requested to know what I was (meaning if was I free or bond), I answered that I was a free man. He next enquired if I had anything to show for it. On this I produced my certificate of freedom, which satisfied him at once. I treated him to a glass of brandy, after which he excused himself by saying that one of the men who was standing in the verandah was no other than the district constable (Mr. Jones) who instructed him to make the before-mentioned enquiries.

On the following morning, I presented one of the five-pound cheques which I received from gentleman Jones, in payment of my bill, the landlord after examining it for some time, returned me the change, and having remained for that day and the next, I changed the other five-pound cheque also, and on finding that the landlord kept a general store, I purchased wearing apparel and other necessaries, to the amount of fifty pounds, presenting the one hundred and fifty pound cheque in payment. He examined this with greater minuteness than the others, wishing to be informed how it was that there appeared to be two different hand-writings on the face of the cheque, observing that the amount on all the cheques which I presented was evidently filled in by a lady. I accounted for this by telling him that the lady who filled up the cheques resided with gentleman Jones, but in what relation she stood with respect to that gentleman I could not attempt to say. Not appearing to be satisfied at this explanation, he observed that if I wished he would send it to the Bank, but I would not agree to this, telling him that I knew where I could get it cashed in a moment. He then suggested that as there happened to be a son-in-law of gentleman Jones's (a Mr. George Cable), keeping a public-house, at Gorman's Hill, within one mile from Bathurst, he would send for him if I had no objection, and if that gentleman vouched for the correctness of the cheque, he would cash it in a moment. To this I consented, and in the course of an hour, Mr. Cable arrived, and at once pronounced the cheque genuine. He therefore gave me a written order on the Bank at Maitland, on presenting which, the Cashier commenced counting the notes. I told him that as I did not believe they were current in all parts of the colony, I preferred gold, but I had to take it in silver, and my companion indulged in a laugh on seeing the bag that contained it.

On starting early next morning, we kept the Sydney road for about three miles, when we turned off in a direction which I knew would bring us on the Goulburn track. I took this precaution with a view of blind-folding those who might be sent in pursuit of us. We soon found the track we were in search of, and following it up for 100 miles reached Goulburn. Meeting with the greatest hospitality from the various stations, where we stopped throughout the journey, and having rested at Goulburn for the next three days, we again continued our route, in the direction of Lake George, and while stopping for the night at Mr. Murray's, who was a large cattle owner, I was informed by his stockrider that providing I knew anything about the management of cattle, I would be very likely to get employment from his master, they being then very busy in branding cattle, which were recently purchased by Captain Sturt, the noted explorer in New South

Wales, and were intended for a new station, which the latter had opened some miles higher up the country. They were short handed at this station, and Mr. Murray requested me to assist for the next three or four days, and he would pay me liberally. Both Captain Sturt and Mr. Murray offered me employment, and preferring the former, I engaged as dairyman for 12 months at £30 per annum, with an additional ration for my companion, who was to have nothing to do with the affairs of the establishment. My employer lived at a place named Meadow Gang, seventy miles from Sydney, and on our arrival we were shown to a comfortable house with two stories, the upper part of which was used as a granary, the ground floor being appropriated for our use. His establishment consisted of the gardener, myself, and a youth who acted as cowherd, together with three farm servants; my situation, I found to be all but a sinecure, having nothing to do for the first two months but milk two cows; by-and-bye I had eight. My master appeared to be a very quiet gentleman, and was very seldom seen, but happening on one occasion to meet him accidentally, he expressed himself highly satisfied with my services, adding that should I continue to behave as I had done he would increase my wages. In a week after the gardener informed me that Captain Sturt had engaged the services of a superintendent named Phillips, who was expected to arrive in a day or two. I imagined that I had heard that name before, and recollecting myself for a moment, observed to the gardener that I knew a man by that name who had been superintendent at Beddington's farm, three miles from Captain Pike's, on the Hunter River, and that a more consummate scoundrel never existed, it being a notorious fact that the free men at Beddington's hunted him for his life, and that he dared not return. In a day or two after Mr. Phillips arrived, and I found that I was perfectly right in my conjectures. He was a man that when once seen is not easily forgotten. Tall, meagre, and cadaverous, with high cheek bones, lank hair, and a pair of small, dark, piercing eyes, deeply set in his head, a low, retreating forehead, and a very effeminate voice, and taking the *tout ensemble* he was a person not calculated to make agreeable impressions. From his well-merited reputation I regarded him with a mortal hatred.

In a week or two after his arrival it happened that on a Sunday morning, while engaged at the toilet, Mr. Phillips, on seeing one of the cattle in a field of corn adjoining the house, immediately called out to me "Do you see that cow, Sir," pointing to the corn-field, "Be off, Sir, be off," he continued, "how dare you permit that cow to be in the grain," he rather screamed than spoke. I answered that as he had seen her first he was the fittest person to turn her out, observing that the work was good for him, reminding him at the same time that his tyrannical and overbearing manner had more than once brought him to grief, and that probably it might do so on the present occasion if he did not observe a little more moderation in the style of his address. His imperious manner put me completely off my guard, and I found it impossible to curb my temper. However, it appears that he reported the matter to Captain Sturt, who, on the following morning, told me that he expected his superintendent would be obeyed in all things relative to the affairs of the farm, having the entire charge of everything on the place. I replied that he should certainly have no charge of me, and that whenever it suited his convenience to settle with me I should leave, which he did on the following day, expressing his sorrow that I would not apologise to the superintendent and remain. I thanked Captain Sturt, and remarked that for himself I could do anything, but that his superintendent was no stranger to me, at least by report, as his reputation was pretty well established in various parts of the colony, and that I had no wish to remain under his supervision, as it might lead to something very unpleasant. My companion and I therefore left on the same day, with a view of going to Sydney, and on overtaking a team bound for the latter place, I arranged with the driver to take her and our luggage, as she would have the company of another

female who was on the dray, and bound for the same place. I was now free from any encumbrance, and riding on ahead until coming to a roadside inn, five miles from the Cow-pasture Bridge, I halted for a few minutes to give my horse a feed of corn, merely taking off the bridle and standing at his head in front of the door. A constable who was perambulating in front of the house continued to examine me attentively, and on making this discovery I slipped the bridle over my horse's head, but had scarcely done so, when he was standing by my side. After pocketing the paper he had been perusing before, he requested to know my name. I replied that I could not see what he wanted with it. He observed that I answered the description of a person charged with cattle stealing, and that he would arrest me on suspicion. I remarked that he was short of his reckoning this time, and while doing so planted my fist between his eyes and sent him to the ground, and jumping on my horse I was out of sight in a few minutes, the latter being in good condition, having had nothing to do while at Captain Sturt's, brought me to Sydney, a distance of thirty miles, in three hours, stopping only once to bait on the road. On reaching Sydney I put up at Jackey the Jew's, who at that time kept the Albion Inn, where I was joined by my companion on the following morning. I must now retrograde, and inform the reader that some six months prior to the occurrences above narrated, having to transact some business in Sydney, I took passage in one of the steamboats that traded from the latter place to Green Hills, about thirty miles above Newcastle, the Hunter River not being navigable higher up. On getting on board I observed a party of some half-a-dozen soldiers forming a circle on deck, with three very pretty women in the centre, with whom they were in conversation, in which I by-and-bye took part. I now saw six men in heavy irons huddled up in the bows of the vessel, a soldier standing sentry over them. I was given to understand they were going to Sydney gaol on the charge of murder. Addressing myself particularly to the prettiest young woman of the three, I invited herself and her companions to have some refreshment in the steerage, to which we instantly repaired, leaving the soldiers to entertain themselves the best way they could on the deck. My new and pretty acquaintance informed me that herself and her companions were bound for Parramatta in charge of a constable whom I had not yet seen, and that the charge against her was because she spoiled a very pretty figure by becoming *enciente*, one of her companions being merely returned to the service of the Crown, and the other was an emigrant, on her way to Sydney, charged on suspicion of being an absconder. She also informed me that the constable had charge of a bundle containing a portion of the skull of the man who was supposed to be murdered by the prisoners in the bow of the vessel. We were now joined by the constable and one or two of the soldiers who gladly embraced the opportunity of liquoring free of expense. I therefore supplied them liberally with rum. There happened to be a couple of my acquaintances on board, who sympathised very much with the unfortunate men in custody, believing them to be innocent, and in this belief they were joined by the women, who expressed a desire of possessing the bundle, in order to put it out of the way. I still continued to ply the soldiers and constable with rum, and by-and-bye the three were lodged safely under the table. How the bundle with its disgusting contents disappeared I am not aware. I only know that on their arrival at Sydney, it could not be found. I am ignorant also of what became of the unfortunate men, having left Sydney a day or two after. One of my companions while on board having addressed me by name, an elderly man who was standing beside me, after eyeing me intently for a moment, enquired if my name was Martin Cash. I answered in the affirmative. He next enquired if when at home I knew a young woman named Esther Carroll. I answered that I did, at the same requesting to know if she was in the colony. He observed that she was now his wife, and that he kept a cooperage at Maitland, being now on his way to

Newcastle for hoop-iron. He also furnished me with her sister's address, who it appears lived in Sydney, which on the present occasion I was resolved to take advantage of, and the day after our arrival, we, with some difficulty, found the person we were in quest of. On knocking for admittance the door was opened by the person we wished to see. I briefly enquired if she was acquainted with one, Mr. Richards, who kept a cooperage in Maitland. She very unceremoniously replied that she did not wish to hear anything about him. I next asked her if she ever knew a person by the name of Martin Cash. "Yes," she abruptly answered, "is he still alive." I assured her that he was, and in very good health, as I happened to be in his company some short time previous. We were now requested to enter, and on being seated, she informed me that she heard at one time that he was hung (meaning myself), but that she subsequently learned that he was stock-riding for one Mr. Bowman, at a place named the Wybung, a long way up the country. I then assured her that the latter account was the true one, and also that her old playmate had now the happiness of speaking to her. She surveyed me for a moment, and exclaimed: "Well Martin, I'm sure I should never have known you—you have grown so wonderfully. I'm happy to see you, although I never imagined I should." She then insisted upon us taking up our quarters with her while we remained in Sydney. We therefore had our luggage removed from the Albion that afternoon, and while chatting about old times I happened to make some remark in reference to a very eccentric character in our neighbourhood, at which my companion gave way to an immoderate fit of laughter. Margaret Carroll, or rather Mrs. Ford, being then married to a constable of that name, here interposed, and requested my companion would be pleased to lower her tone, as there were men in bed upstairs who had to remain up all night. My companion requested to know if they were constables, and on receiving an answer in the affirmative, wished them all in a warmer place, at the same time expressing her determination to leave the house at once. I felt for poor Mrs. Ford, who was evidently much disconcerted, but recollecting that prudence was the better part of valour, we beat a hasty retreat, taking up our quarters at a public house at the new wharf, where, on hearing that the barque "Francis Freeling" was about to sail for Hobart Town, I paid twenty pounds for a cabin passage for myself and companion, and five pounds for my horse, having also to provide forage for the latter; and after a passage of seven days, we landed at Hobart Town on the 10th February, 1837. I often since regretted that the vessel had not sunk on the passage, and thereby save me from the misery, degradation, and peril which awaited me in the new country of my adoption; but our lives being in the hands of the Almighty I now entreat His pardon for entertaining this impious wish, trusting that out of evil good may come.

CHAPTER II.

Tasmania.

There's music in the laughing sky, and balm upon the air,
The earth is stamped with loveliness, and all around is fair ;
There's glory on the mountain top, and gladness on the plain,
The flowers spring from their wintry bed, and blush and bloom again.

As we did not intend to remain long in Hobart Town, we took furnished lodgings for the present, and in the course of a month I began to think that that I made a great mistake in coming to Van Diemen's Land, seeing no chance whatever of obtaining employment at my own business. My readers will recollect that I was merely a lad on leaving Ireland, and being employed as stockrider for the last nine years my knowledge as to farming operations was therefore very limited. I found also that a free man in the character of a farm labourer did not receive the same amount of consideration from his employers, which was generally shown to assigned servants ; the latter being held as *bonâ fide* property which could be disposed of at pleasure, while the former not being under the same unlimited control was generally regarded with feelings of distrust and indifference. I remained three months in Hobart Town, out of which I was employed one week in assisting to launch a small vessel named the Lady Franklin, registered 80 tons, and built by a shipwright named Williamson, residing at Battery Point. She sailed for Sydney taking passengers and cargo about two years after, and has not since been heard of. Our expenses in town were now beginning to tell heavily upon our little capital, I therefore resolved to try my luck in the country, and having secured our baggage on the horse, we travelled on to Bridgewater, where on crossing in the punt, no bridge being erected at that time, I perceived a party of constables coming from Hobart Town, apparently escorting a cart with a coffin in it, and being curious to know something more respecting this singular procession, I learned from enquiry that the coffin contained the body of a man named McCoy, who had been recently executed on a charge of highway robbery and murder, and that the constables were on their way to carry out the remaining part of his sentence, which was that he should hang in gibbets on the spot where he committed the offence. We afterwards saw the body in gibbets about one mile from Perth, at a bend of the road leading to Launceston. In a few weeks, however, it became so offensive that the inhabitants petitioned to have it removed, averring that the large flies on leaving the body flew into their dwellings, and lit upon their provisions, and that the thing had become a dangerous and disgusting nuisance. The prayer of their petition was granted, and the body was taken down and buried.

We remained a few days in Launceston, and seeing no chance of employment we travelled on in the direction of Norfolk Plains, where I engaged with Doctor Wilmore to reap, with a promise of constant work when harvest was over. There happened to be a brick-yard within a short distance of the latter gentleman's residence, on which a hut had been formerly erected for the use of the brickmakers. My companion and I were permitted to occupy the latter during our stay, which was rather short, owing to the following circumstance : One evening on returning from work my companion informed me that she saw a man and woman sitting in the brickyard during the latter part of the evening ; but feeling tired I paid very little attention to her observation. In a few minutes both of them entered the hut, and requested us to give them shelter for the night ; being a perfect stranger to all the inhabitants of the locality, and knowing that an appeal of this description was seldom

refused in the country I had left, I granted their request and gave them part of our bedding. From my bedroom, I could see where the strangers were sleeping, and while lying awake in the middle of the night, I perceived the woman getting up and going outside the hut, where she remained about ten minutes, and then returned. The next morning, the husband (as I imagined him to be), accused me of stealing his watch, and thinking this a very sorry return for my hospitality, I took the law into my own hands and thrashed him well for his ingratitude. Doctor Wilmore hearing the row came to the spot, and seeing his servant woman in the company (who, it appears, had been sent to Longford on business the previous day), sent for a couple of constables and gave us all in charge. In explaining this matter, I would beg to say that I was not aware that the woman who stopped in the hut on the night previous was an assigned servant to Doctor Wilmore, firmly believing her to be the man's wife, and that both were strangers in the locality, but in this I was deceived, as the reader will see. The man being a brickmaker, was formerly an occupant of the hut, and while there had formed an intimacy with Doctor Wilmore's servant woman, but this having transpired long before I came to the place, I of course was ignorant of the matter. However, not liking the seeming turn of affairs, I laid hold of a good-sized wattle, and having to use a similar weapon when taming wild cattle in New South Wales, I could handle it rather dexterously, which I did on the present occasion, knocking one of the constables down; on seeing which his comrade beat a retreat, leaving the field in the possession of myself and my two lodgers. My blood being up, I was of opinion that I might as well have a little exercise, I therefore belaboured my accuser unmercifully. The constable who, acting upon the old adage, viz., "A man that fights and runs away may live to fight another day," now returned, bringing a reinforcement of five others, three of whom I immediately sent to grass, but while engaged in this laudable undertaking I was rushed from behind by the other three, and after some pretty hard knocks had been given and received, I was at length overpowered. They evinced the utmost prudence, however, in tying my hands and feet before placing me in a wheelbarrow, the only available vehicle at hand, in which my captors had to convey me to Longford gaol, taking spell about on the road. A big man named James Herbert, who witnessed the transaction, observed that a few more such men as myself would be able to destroy all the vermin in the Island (meaning the police). I was glad to see that my adversaries paid no attention to his remarks, as it might occasion him some trouble.

The following day we were brought before a bench of magistrates, who, on hearing all the evidence in support of the prosecution, asked me what I had to say in my defence. I stated that from the fact of the woman going out of the hut in the middle of the night I was of opinion that while absent she had concealed the watch somewhere close to the hut, but that in any case, I was quite innocent of the charge. We all four were then remanded—my accuser on a charge of intimacy with a Government woman, the latter on a charge of absenting herself from her master's residence, and my companion and I on a charge of stealing the watch. The constables having been sent in search found the latter carefully wrapped up in a handkerchief, which Doctor Wilmore, on the next day, identified as his property. I and my companion were therefore acquitted, and my accuser was next arraigned. The magistrates examined me very closely as to whether they slept together, to which I pleaded ignorance. They asked me how I could possibly be ignorant of this circumstance, having previously alleged in my defence that I saw the woman getting out of bed, and leaving the hut. I replied that the fact of my seeing the woman was no reason why I should be able to see the man, and that I could not take it upon myself to say where he slept. My companion was next interrogated, but as nothing could be elicited from her, the owner of the watch was acquitted. The trial of the unfortunate woman did not occupy

many minutes, having received a sentence of eighteen months for stealing the watch and handkerchief. When leaving the court, my prosecutor expressed his regret at making the accusation, observing that had he known me a little better he would sacrifice fifty watches rather than prosecute me, thanking me at the same time for saving him from being mulct in a fine of £50, which would certainly have been inflicted had he been convicted of the crime of friendship with a prisoner servant. I told him that on this, as on all other occasions, I merely acted on principle making it a general practice to return good for evil, adding that the people in Tasmania might know me better some day—prophetic words, which I then uttered without a meaning. Having had quite enough of Dr. Wilmore's establishment, we took the nearest route to Hobart Town, where, on arrival, I sold my horse, together with the saddle and bridle, for £25, to a licensed victualler named John Baker, who then kept the King's Arms, in Murray-street ; and in a week or two after we again returned to the country, proceeding in the direction of Fingal, on one occasion being obliged to put up for the night in an old barrack, where a party of soldiers had been formerly stationed for the protection of the settlers, the natives being very troublesome at that time. On the following morning we started for the Break o' Day, and on coming to Mr. Steiglitz I engaged with the "missus" as dairyman for twelve months, my companion being obliged to participate in the management of the dairy. The servants' table at this establishment was served up in a style and profusion which I had never before seen equalled : roast and boiled joints, with pies, puddings, and tarts, was the daily routine, and it was an every-day occurrence to have a pan full of eggs, with a handful of flour shaken over them, cooked for breakfast, and a similar dish for tea. I have only to observe, in conclusion, that everything was carried out with the most lavish profusion, and that a more kind and indulgent matron did not then exist in the colony. She had been previously married to a Mr. Ransom, who, on his demise, left her in possession of a very valuable estate. She afterwards married Mr. Steiglitz, a native of Germany, who was then in England, where I believe he remained for three years. Her son, a young man about eighteen years of age, and an adopted daughter some years younger, constituted the family.

At the expiration of the term of our agreement we left this hospitable place, and it being harvest time, we directed our steps for the Cressy, where on finishing the harvest I was engaged for the winter months in fencing a deer park. At this time the Cressy belonged to a company, a man named Toosey acting as their superintendent. On finishing the latter job, we took our departure for Campbell Town, and having rented a small cottage, I got employment from Mr. Kane, who some time previous to my arrival had purchased the goodwill of Hogg's public-house, and was then engaged in erecting a new one, fronting on the main road. He was a mason by trade, and had just finished the building of a fine house for Dr. Pearson, about two miles from the township. Some two months subsequently my companion came to the building where I was at work, in order to get some money to purchase necessaries, and as it happened to be near the time for knocking off work, I told her to go inside the building, and wait until I should be in readiness to accompany her. On finishing what little business we had to transact on the township we called at Mr. Kane's, in order to have a glass of ale, after which we left, with a view of returning home. We had scarcely got a dozen paces from the house when we were accosted by two constables, who signified their intention of taking my companion to the watch-house. I enquired upon what charge, and not getting a satisfactory answer, resolved to contest the matter, on seeing which they departed. On our way home we had to proceed by an old road that led from the rear of Mr. Kane's premises, and opened on the prisoners' barracks, where a party of soldiers were then stationed, and before reaching the latter we were again joined by the same two officials, one of whom laid his hand on my companion, observing that

she would have to go with him to the watch-house as she was under the influence of liquor. I cautioned him as to what he was doing, but finding that he still persisted I struck him a violent blow on the side of the head, and in his fall he carried a part of the fence along with him, and his comrade coming to his assistance, went down also. They then shouted for assistance, and were immediately joined by three soldiers, who, with bayonets fixed, stuck me up, demanding to know who I was or what I had been doing. I briefly told them that while on her way home my wife had been twice insulted by this pair of ruffians. The soldiers at once returned to their barracks, expressing their sorrow that I did not give the constables more than what I had done. We were now joined by five or six constables, who laid hands on me, and in taking me to the watch-house pulled my clothes to pieces. My companion, however, had reached home by this time, and while she was free I did not care so much for myself. On arriving at the watch-house or gaol, as it answered both purposes, the constables whom I first encountered charged me with being drunk and resisting him in the execution of his duty. The watch-house keeper (Mustel White) ordered me to walk along a gutter that ran through the yard, and on my doing so he declined to entertain the charge of drunkenness. The constable then charged me with assaulting him and rescuing a prisoner, and on this charge I was locked up. On being asked by the gaoler on the following morning if I knew the charge preferred against me, I of course answered that I was quite aware of all that had occurred, having taken but one glass of ale. He then told me to call upon him when brought before the Bench, and on the constable giving his evidence I was put upon my defence, merely stating what had actually occurred, and called upon the gaoler, who informed the magistrate that in the first instance I was charged with being drunk and resisting the constable, and that seeing I was perfectly sober he refused to take the charge; but on the other charge being preferred he locked me up. He also stated to the Bench that the constable who made the charge was strongly under the influence of liquor at the time, and in his opinion not at all fit for duty. At this stage of the proceedings the case was dismissed, the magistrate telling me and the constable to go and settle it out of court, and come to some arrangement, as I was entitled to demand compensation for the injury my clothing had sustained, as well as for loss of time. I therefore claimed one pound, thinking it quite too little, taking all the circumstances of the case into consideration; but the constable declined to make any advances, on the ground of his funds being exhausted. The chief constable, however, came to his relief, observing that he might consider himself very fortunate in getting off so lightly, and that had he anything to do with the case he would find himself differently situated. He then gave me instructions to call upon him on that afternoon, when he would give me the pound, and stop the same from the constable's wages, upon this I made my exit, and in accounting for my absence from work had to make Mr. Kane acquainted with the particular, when he laughingly observed, "Well, Martin, you are the first man in Campbell Town who has ever punched the traps (police) and make them pay you for doing so, and before you go to work you must drink a glass of rum at my expense." I remained in Mr. Kane's employ until the building was completed. As he had nothing further for me to do, I obtained employment from Mr. McLeod, who at that time lived in the suburbs of the township, and as this gentleman subsequently figured on the list of colonial defaulters, I would beg to offer a few remarks respecting him.

At the time I was in his employment he was cashier of the branch bank at Campbell Town, and a more generous, hospitable gentleman could not be found in the colony. His house was generally filled with company, and a continual round of balls, fêtes, pic-nics was the order of the day. He had a great predilection for flowers, and did not appear to take the slightest interest in the affairs connected with the fine farm which he then occupied, having a

flour mill also on the estate. In his capacity as justice of the peace he subsequently signed a warrant for my apprehension, but on which, I am too sorry to say, the ink had been scarcely dry before another had been issued for himself for embezzling the bank-funds. He was, however, more fortunate than myself, as he effected his escape from the colony. It will be necessary for me here to state that a tailor named Flynn, whose wife I shall have to introduce to the notice of the reader in a subsequent part of my narrative, was then my next door neighbour, and when an unfortunate circumstance occurred which was a primeval cause of all my sufferings in Van Diemen's Land, and I here solemnly declare in the presence of my God that I am and was innocent of the paltry theft then imputed to me, begging to be judged by public opinion, as to whether any one action of my life, either before or since bore the slightest resemblance to the miserable and trivial charge that was then brought against me. I must here also inform my readers that my conduct while under arms in the bush, in the year 1843, was mainly influenced by the treatment I received on that occasion at the hands of the authorities, and also that in writing these my random recollections, I have no inclination to represent my actions in any other light than the true one, and by giving a clear and faithful exposition of facts endeavour to show the injustice of inflicting punishment where none is merited, as in the case I am about to detail.

My readers will be pleased to recollect that while residing at Longford, I had reason to repent of my readiness to entertain strangers. I now again found myself the victim of my hospitable propensities, and in reluctantly recording the circumstances, I have only to observe that some ten or twelve months subsequent to my committal, and while labouring under the sentence of seven years' transportation, the magistrates who committed me were perfectly aware of my innocence. The circumstance was thus: One evening after work, and while in conversation with Mr. Kane, I was accosted by a man named Miller, who requested that I would let him stop at my place for a night or two, as he was out of employment but expected work on the following day. My knowledge of this man was very limited, Mr. Kane having some few days previous employed him in clearing away the rubbish from the new building at which I had been at work. I took him home that night, and permitted him to remain the night following also, when taking my companion with me, we proceeded to the township with a view of paying my landlord (Mr. Hamilton) the rent, leaving Miller in charge of the house until we returned. I had scarcely concluded my business, before I was arrested by a party of constables, who it appears had searched the house in our absence and found the articles which Miller had stolen, the latter having decamped on seeing the constables approaching the house, and has not since been heard of, leaving me as the occupier of the house to answer for his delinquencies, but I am now of opinion that had I secured the services of a lawyer on that occasion, I would have been acquitted, as the stolen property was found in Miller's bundle. The Fates however, ordained it otherwise, and I was fully committed and arraigned at Launceston, Mr. Mulgrave being then Chairman, where I was sentenced to seven years' transportation, and out of the twelve unfortunate men who were tried at the same session, only one man named Pearce escaped the same fate, one of the number being executed, and with the exception of myself and a man named Cole, the whole of my unfortunate gaol companions were sent to that wretched receptacle of crime and depravity, Port Arthur, our exception being occasioned by the fact of our arriving free to the colony. Cole was subsequently handed over to the Superintendent at Willis's Corners, and I was forwarded to a station known as Malcolm's Huts, distant some two miles from Richmond.

The prisoners on this station were employed in constructing a road leading from Richmond to Restdown Ferry, which is now the main thoroughfare

from the former to Hobart Town ; I reached my wretched quarters on a Saturday, after a long and tiresome journey, putting up at gaols and watch-houses on the road, and my appetite being very keen on my arrival, I enquired of one of the prisoners, who was a messenger for the overseer of the gang, if I could get anything to allay my hunger by paying for it ; he answered " Yes," that he could let me have anything I wanted, and in a few minutes after he produced two fat cakes, as they were termed by the prisoners, and some boiled mutton, for which he demanded one shilling ; these billeted men, the cook and messenger, acting in concert, by clipping from the prisoners' rations, were always prepared for similar contingencies, scarcely a day passing without having to provide for the wants of some fresh arrivals, that is if they had any money in possession. I never for a moment contemplated remaining at this miserable place, but being tired and footsore, and the next day being the Sabbath, I resolved to have a rest before carrying my plans into execution. Early on the Monday morning, myself and five others were put to a go-cart (or hand-cart), in order to convey stone from a quarry about a mile distant from the station, and this being the first time that I had seen men taking the place of horses, I concluded that the treatment was too good for those who would tamely submit to it. If prisoners in New South Wales were similarly dealt with, I did not see it. I only recollect that the circumstance of seeing men performing the work of horses or asses, made rather a singular impression on me. For obvious reasons, in this instance, I contrived to escape what they termed the libo, merely walking in company with another man, at the tail of the cart until coming to a place that favoured my purpose, I decamped without consulting the authorities. I was now labouring under serious disadvantages, among the most important of which was the loss of my private clothing, which had been taken from me on arriving at Malcolm's Huts ; this circumstance precluded the possibility of my travelling by day, I therefore halted in a wattle scrub about four miles from the station, resolving to prosecute my journey under cover of night, and conceal myself in the unfrequented parts of the bush during the day. My readers may be able to guess the direction I intended to take, and if they cannot, I must inform them that Campbell Town was my destination, in order to join my companion, whom I had left under such adverse circumstances being quite aware that she expected me. She gave me five dollars on coming through Campbell Town on my way to Malcolm's Huts, three out of which still remained in my possession. After nightfall I resumed my journey, taking the nearest route to Black Charlie's Opening. At midnight I reached a gentleman's residence, which suggested the idea that by effecting an entrance I might have an opportunity of changing my habiliments, and on making my ingress by one of the front windows, I struck a light, but could see nothing in the room that would answer my purpose. I next repaired to the kitchen, where, on finding plenty of provisions, some of which I very much needed, I packed up what I considered necessary for the next day's consumption, and appropriating one or two articles of clothing, being all that was visible, I made my exit unmolested. I had no intention whatever to follow up my new profession, being visited on the occasion with shame and compunction, as I now am, in recording the circumstance ; but aware that I was suffering innocently, I considered myself justified, at least in my own opinion, in trying to extricate myself from unmerited bondage. Taking my newly-acquired bundle in my hand, I travelled on through Brushy Plains, and halted on reaching the Bluff River, where I had been previously employed by Mr. McGiven, and consequently had some knowledge of the locality. I therefore resolved on proceeding by a bridle path which led from the latter to the Eastern Marshes, a distance of eighteen miles, and on getting about half-way I reached a shepherd's hut, very strongly built, with loop-holes all around, placed there evidently with a view of repelling the blacks, it being

erected in the early days of the colony. On entering the hut I found it untenanted, and having examined it closely, came to the conclusion that three armed men inside ought to be a match for twenty men outside. I was induced to make these observations from a circumstance that took place in this hut some short time subsequent to my arrival in the colony, when it would appear that three well-armed bushrangers—the leader's name, if I am not mistaken, was Regan—took refuge in this hut, after sticking up a public-house at Cleveland known as the "Squeaker's" Inn. A man who happened to be there at the time, and very much under the influence of liquor, made use of some unguarded expression, implying a want of pluck on the part of the leader of the party, when the latter, without the slightest hesitation, shot him through the head. They had not been long in the hut, however, before they were surrounded by a party of soldiers, commanded by Captain McKenzie, who called on them to lay down their arms and surrender, and they immediately complied, all three coming out on their hands and knees, leaving their arms behind them—acting upon the instructions of Captain McKenzie in the manner of their egress from the fortress. I imagine that had I been so circumstanced, I should not be so accommodating, being strongly of opinion that I should make Captain McKenzie wish himself comfortably situated in his quarters, overhauling his kit, or in any other situation than standing before that hut, commanding a party of six.

On passing the Eastern Marshes I selected a secluded spot in order to make some tea, and having first kindled a fire, I brought some water from a creek which ran at a little distance. While busy with my preparations, however, I was peremptorily called on to surrender, and on turning round perceived two constables, having their pieces levelled on me. I knew one of them, whose name was James Smith, then stationed at Oatlands; and seeing the utter hopelessness of making any effectual resistance, reluctantly obeyed. I was then conducted to the gaol at Oatlands, and in a day or two after was brought before Mr. Whitefoord, the Police Magistrate, who sentenced me to nine months' hard labour in a chain gang; at the expiration of which, I was to have nine months to a road party. I heard all in silence, at the same time arriving at certain conclusions with respect to the fulfilment of this double sentence, and being obliged to remain a fortnight at Oatlands awaiting returns, I here became acquainted with a prisoner named Tweedy, who was then undergoing a temporary sentence. I could find in a little time that I could safely confide in him. I therefore gave him a catalogue of my misfortunes, and concluded by telling him that I should again make my escape on the first opportunity. In return, he informed me that his master resided some short distance the other side of Spring Hill, observing at the same time that he was a most consummate scoundrel, and that could I be so fortunate as to elude the vigilance of the "traps," the next best thing I could do under the circumstances, would be to pay his master a visit and borrow a portion of his wardrobe. He then minutely described the window by which I was to enter the bedroom, where the clothing was kept, and also a small store adjoining the bedroom, where I would find many things that might be very useful, adding that his master being nearly of the same proportions as myself his clothes would fit me very well. I noted his instructions, resolving to carry them out in the event of making my escape.

My returns having now arrived, I was taken out in company with a prisoner named Jones, who happened to be *en route* for some station down the country, stopping the night before at Oatlands gaol. We were handcuffed together, and during the process I noticed that my comrade in misfortune was a pale effeminate-looking man, and, as I found afterwards, very cowardly also. We stopped the first night at Spring Hill watch-house, from which we started early on the following morning in charge of a constable named Thomas Last, who marched some paces in rear of us, with a loaded piece on his shoulder. On getting about a mile on the road I opened my

mind to Jones, assuring him that all I required of him was simply that he would offer no impediments, and that by keeping along with me, we both being handcuffed together, I would disarm the constable in a twinkling. I did not require his assistance, but merely, as I before observed, that he might, by keeping along with me, offer no obstructions, and before the constable would be aware of my intentions I would have him disarmed. I also assured Jones that in the event of a failure (a thing which I knew to be very improbable) I would take the onus of the whole affair upon myself by stating that I frightened him into compliance, representing at the same time the chances which now offered themselves in regaining his liberty without either risk or exertion on his part. However, he became very pale, on listening to my suggestions, reminding me that we were yet too close to the watch-house to attempt a reprisal, and observed that he knew a place about five miles further on the road that would answer our purpose much better. I could see that my mate was no hero, but as I could not well do without his co-operation, I was reluctantly obliged to consent, knowing that there was no occasion whatever to procrastinate, as there was not a dwelling-house within a mile of us either side. On travelling some miles on the road I again made the proposition, which was at once declined by my companion, on the plea that it would be much better and safer to wait until we arrived at Jerusalem, and saw what sort of a place it was, assuring me that we would have every chance of going from thence, at any time we wished to do so. I could have strangled this cowardly native of chain gangs and road parties, but commanding my temper as well as I was able, we travelled on till we reached Jerusalem, where we were safely delivered up by the constable, who was little aware of my benevolent intentions. I was quite satisfied, however, that had I made the attempt, my friend Jones would do all in his power to impede me.

Jerusalem chain gang was then in charge of a worthy styled Wingy W—n, who, in conjunction with an overseer named N—s, had earned a most unenviable reputation throughout the island. They were protected by a company of soldiers, and being aware of the unlimited power with which they were invested, they acted accordingly. In drawing a comparison between Wingy and Legree,* I am decidedly in favour of the latter, who, not bearing the slightest affinity to his victims, either physically or morally, exercised his unrelenting severities through an ultimate hope of gain, while the former, without any such stimulus, flogged, starved, gagged, and otherwise wantonly persecuted unfortunate men of his own colour on any pretence or no pretence whatever. But to resume my narrative: I was now a week at Jerusalem without having the slightest opportunity of making my escape from this abode of wretchedness, where gaunt starvation, tyranny, in all its revolting forms, and treachery existed to an unlimited degree. A bonus in the shape of a temporary slant or a feed, as they termed it, was in nearly every case given to the bearer of information, no matter of what description, whether it was that some unfortunate prisoner was about to abscond (although he might have never thought of such a thing) yet he would be punished on the faith of the information, or that another had some tobacco in his possession, a crime equally punishable. This system gave exercise to the inventive faculties of a great many, and in consequence, no matter how well a man conducted himself, he was not safe, being at any time liable to be denounced by his fellow-prisoner, without the possibility of defending himself—in short it was a perfect reign of terror, but as I intended to make tracks on the first opportunity, I endeavoured to act on the square to all parties. Our present finisher of the law, S—n B—y, was then a washerman on this station, and figuring in the character of a good man, not having at that time assumed the robes of office, but in a few days after my arrival he was summoned to Hobart Town in order to get initiated into the mysteries of tying the noose, and where two unfortunate men awaited their introduction to another world.

*Vide "Uncle Tom's Cabin."

I found an acquaintance here named James Rutherford, and as I knew him to be honest and manly, did not hesitate to make him acquainted with my intention to abscond. I had been now a fortnight on the station, a great deal longer than I intended to remain at the first, being also obliged to work very hard, and on very short commons. He remarked that I would be better with a mate, and if he did not mistake there was a Sydney man by the name of Groom who would gladly accompany me, observing that the latter could be safely trusted. I therefore took the earliest opportunity of stating my intention to Groom, requesting him to come with me ; upon which he eyed me with distrust, and flatly denied having any such intention. On the following evening, however, he excused himself for his want of confidence, owing to the treachery which was rife on the station, and expressed his readiness to accompany me. He concluded by saying that he was convinced of my sincerity through hearing Jones recapitulate what had occurred on the road. We then agreed to leave on the following day, but in order to explain our plan of action it will be necessary to briefly describe how both of us were situated. The party were divided into two gangs, one of which being chiefly composed of the late arrivals, were placed in charge of the military, and those prisoners whose sentences had nearly expired formed the other. It was therefore arranged between us that shortly before the dinner hour I was to feign illness, and when the cook arrived with the dinner I would be sent in his charge to the station in order to have the opinion of the dispenser as to whether my illness was real or assumed. All this was purely imaginary, Groom being merely guided in his conjectures by similar occurrences which he had witnessed while on the station. The gangs being placed about three miles apart, Groom was to meet me on the road when returning in charge of the cook, and we would then leave together.

The following day accordingly I was quite ill, but "Wingy" on being apprised of the circumstance, gave me in charge of the sentry, who kept me in custody for the remaining part of the day, and marching me in front of the gang on their return from work, locked me up on arriving at the station. Poor Groom absconded, and I have no doubt saw me in charge of the sentry, at any rate he was off, I still remaining, although more determined than ever to follow his example. The next day I was brought before a magistrate, and charged with idleness and feigning illness. Wingy preferred the charge and N——s in support of the prosecution swore that I begged N—— would overlook my offence, and that I should do so no more, which was a clear case of perjury, as I had not spoken to him on that day. I was let off on this occasion, however, with three days' solitary confinement, at the expiration of which I was taken from the cell, and conducted to a yard, which ran along the whole length of the building, being divided into two compartments, and surrounded by a stockade twelve feet high. At noon I was taken from the cell, and it being understood that prisoners undergoing solitary confinement were not supposed to work on the day they were discharged, I had the afternoon to digest my plans ; billeted hands were in the yard, whom I was afraid might give the alarm on seeing me try to escape. The military barracks were situated within a short distance of that occupied by the prisoners, the former commanding a good view of the latter, and also the stockade and yard adjoining, and both of them being situated in the centre of the township, rendered it more difficult for me to effect my escape unperceived. I was fully determined to try my luck, being quite regardless of consequences ; but on weighing all the contingencies, I could find that the balance was fearfully against me, having on my legs a pair of seven pound cross irons. I therefore spent the greater part of the afternoon in watching the billeted hands, thinking that they might be doing the same for me, and probably placed there for the purpose ; but by-and-bye concluding that they had no suspicion of my intentions, I prepared myself for the attempt. The chimney of the prisoners' barrack

abutted about a yard from the wall of the building, the former being very rudely built on the outside, and placing myself behind the angle of the chimney, I procured a good-sized stone, and resting the ring (which connected my chains in the centre) on another, struck it with the one I held in my hand, when a piece flew off. I then undid the strap that connected the chains to the ring and fastened each chain at the knees beneath my trowsers. I was now, in case of a failure, amenable to a flogging, and afterwards a trip to Port Arthur, for meddling with my irons; it being strictly enjoined on all prisoners wearing such embellishments that in cases where the latter were in any way damaged, either accidentally or otherwise, they were immediately to report the circumstance to the officer in charge. But on this occasion I was resolved to infringe the regulations. The billeted men were still employed in the yard, and I became rather excited on seeing four more enter, who, it appears, had been out for a load of wood for the station. On seeing that they sat down and entered into conversation with the others, I resolved to make the attempt in their presence, it being then past three o'clock and in mid-winter I knew that the gangs would return from work in another hour, and before which, if I did not escape, I would have to give it up altogether. Fortune, however, favoured me, as the men left the yard in a few minutes after, upon which I placed two night tubs one on the other at an angle of the palisade, which gave me about three feet of a rise, and mounting the latter I found that I could not by any means reach the top of the palisade, it being nine feet from where I stood. But with a spring I reached the top with my hands, and having worked myself up, jumped on to the ground on the other side, which was a public thoroughfare. I then walked on deliberately in the direction of the creek, as to run, under the circumstances, would not be judicious, and on crossing the creek I made for a paddock some three or four hundred yards in front, being still in view of the military barrack, station, and township. On gaining the paddock I halted a moment to reconnoitre, and seeing that all was quiet, I made for the nearest bush, having to avoid one of the gangs which passed a short distance on their return from work. I very soon after got into a mass of wattle, which answered my purpose admirably.

Although not much accustomed to praying, I recollect that I offered up a short one on the occasion of my deliverance from this hot-bed of persecution, and also that my second attempt might prove more successful than the first, and although not as clever at my prayers as the generality of my countrymen, yet I often after being exposed to imminent danger, resorted to this mode of silent thanksgiving, being now of opinion, on taking a retrospective view of the past, that nothing less than a direct interposition of Providence could have saved me from the perils I had on many occasions to encounter. My readers will be pleased to recollect that I had been immured in a dark cell for the last three days on one pound of brown bread per diem, and an unlimited supply of aqua pura. It will be unnecessary therefore to say that I had an excellent appetite, but unfortunately had nothing wherewith to satisfy it. I remained, however, in my place of concealment until 11 o'clock that night, when, sallying out in quest of adventures, I espied a mill (Mr. Tolmee's), which caused me to think that if I could not find a loaf I might at least find the raw material, and acting upon this supposition, I broke into the dwelling-house, where I found all that I required in the victualling department, and feeling the want of supplies on this as on other occasions, I packed up a quantity of tea and sugar with other necessary appurtenances, and had scarcely got clear of the premises before the lights began to move briskly inside, and presently a man mounted on horseback rode off swiftly in the direction of Jerusalem. I then struck off through the bush with Campbell Town as a landmark, and on getting about eight miles in that direction I halted, not daring to show myself during the day, as I was still dressed in prison clothing. I wiled away the time in trying to divest myself

of the leg irons. Having provided myself with tried stones, and resting the basil that encircled my leg on one of them, with the other I beat the ring into an oval form, and reversing it I again brought it to its former shape, and after persevering in this practice for the space of an hour, I had the satisfaction to see them give way at the rivets, leaving me free once more from this degrading badge of infamy. Observing the utmost precaution, I continued my journey, travelling by night, and concealing myself during the day, until arriving in the vicinity of Spring Hill, when, on recollecting the hints which I had received from my friend Tweedy, I resolved to carry them into effect, and walking silently up to the house, it being about the time that I should commence operations, I examined the windows, where I found the nail which he described as its only fastening. This I immediately drew out, and placing the window on the ground, I at once entered the house, at the same time hearing some people conversing in the adjoining room or kitchen, and judging there was no time to be lost, I collected some coats, trowsers, and vests which I found hanging on pegs, I placed them in safe custody; a hat next joined company, together with a pair of Wellington boots; I next got hold of a box which I was aware contained shirts and other wearing apparel, and placing the whole safely outside the window, quickly retraced my steps, in order to provide for the inner man in which I succeeded, and judging that it would not be prudent to select the articles I intended to appropriate in such close proximity to the house, I carried off a great deal more than I wanted, and on coming to a retired part of the bush, I rigged myself out in a very respectable suit, which fitted me as well as if I was measured by Stultz, in Bond-street, and leaving a number of articles, together with the Government outfit behind me. I picked up my bundle containing sundry shirts, handkerchiefs, provisions, &c., and resumed my journey to Campbell Town, having now no occasion to avoid any person save those who knew me personally, my exterior denoting anything but an absconder from Jerusalem chain-gang. Still, however, bearing in mind that prudence was the better part of valour, I kept the unfrequented parts of the country on my route until I reached my destination, and remaining concealed at a respectable distance from the township until it was dark, I immediately repaired to the house I formerly occupied, in the hope of finding my companion, but in this I was disappointed. I met her immediately after returning to the house, and on touching her on the shoulder, she demanded to know who I was that treated her with such impertinent familiarity. On hearing my voice, however, she was soon aware of my identity, and after giving her a hearty embrace, we both continued to walk down the street until coming to a fence which surrounded a very extensive boarding school under the supervision of one Mr. Swift, who it appears was swift by nature as well as by name, having the reputation of being the swiftest runner in the colony. We halted at the fence, and here we arranged our plans for the future, namely, that my companion was to dispose of her chattels and accompany me to some remote part of the colony, where I might procure employment, and ultimately save what would be sufficient to pay our passage to Melbourne. She then instructed me to wait for her at a certain place lower down, and in rear of Mr. Swift's, and telling me that she would join me presently, we separated; the moon now shone out brightly, and I had not waited many minutes at the place appointed, before I was peremptorily summoned to surrender, and on turning to see who issued the command, I perceived a man with a gun in his hand, advancing within twenty paces of me; he swore by his God that if I moved, he would blow my brains out; but notwithstanding his threats I ran as swiftly as I could in an opposite direction, when he fired, and I felt that I was wounded, he still continued the pursuit, swearing that if I did not stand he would give me the contents

of the other barrel. I could not put up with this any longer, so turning sharply round, I closed with him and wresting the gun from his hands, I dealt him a blow with the butt end, which broke the stock, and sent him to the ground, and being determined to make an example of this would-be constable, I cudgelled him soundly with both barrels, until hearing some people coming to his assistance who were attracted by his cries for help, I gave him a last reminder, dropped the barrels and decamped, then crossing a creek which ran at the bottom of a very steep bank, I halted on Mr. Harrison's land, where an empty hut stood about 300 yards in advance. By-and-bye the police, accompanied by Mr. Swift, who was my assailant, followed up in the same direction, and from where I stood I could distinctly hear him describe the whole affair, giving it as his opinion that he had shot me and that in all probability they would find me dead or wounded in the hut, as he saw me running in that direction. The police then returned and having provided themselves with lanterns went off in the direction of the hut, still accompanied by Swift holding the gun-barrels in his hand. Having examined the hut they returned, passing so close to where I lay concealed that I could distinctly hear every word they spoke. Swift still gave it as his opinion that I was dead, stating also that after discharging the only barrel that was loaded, he afterwards overtook me, and in attempting to strike me with the gun he missed his aim and broke the stock. I also learned from his conversation that he was inside the fence when I was speaking to my companion, and heard every word that was spoken, which accounted for his attack upon me. The excitement having in some measure subsided, and the search being practically given up, I eagerly looked out for my companion, although being now apprehensive that she would be under police surveillance in consequence of the disclosures made by Swift, every person on the township would hear that I was the person fired at, and of course she would also be cognizant of the fact. Watching her opportunity, however, she stole out unperceived by the police, and following up the direction which she heard I had taken, soon came to the place where I lay concealed. She enquired if I was wounded. I answered that I was, but slightly, and telling her to meet me at a certain place the next morning, and also to bring a penknife with her, we separated. The next morning she brought me some refreshment, and with the penknife she extracted nearly the whole of the shot, which I found to be BB duck shot. She wished to remain with me all that day, but this I would not consent to, reminding her of the necessity of selling her things as quickly as possible, and leaving a locality which had hitherto brought nothing but misfortune to me, and having agreed to meet at a certain place that night, she left, and returned in the evening accompanied by a friend of mine. We all sat down for a few minutes, and in the course of conversation my friend remarked that he was sorry I had not a mate, when my companion replied that he had and a good one; when making this remark he had not the slightest idea that my companion intended to share my fortunes, although seeing her carry two large bundles; which he imagined were for my especial use. But on parting, to his surprise he beheld her lay hold of one of the bundles, while I took the other, and for the first time the truth flashed upon him; but he was still slow to believe that any woman could be induced to accompany a man placed in such desperate circumstances. He bid us God-speed, and we turned our backs upon Campbell Town, and crossing the Macquarie River that night, we encamped on the other side, and having a tolerable supply of tea, sugar, and other necessaries, we travelled by easy stages through the unfrequented part of the country, until arriving at the foot of the Western Tiers; and it being about twelve o'clock at noon, I made a fire, and while my companion was making some tea, a shepherd in the employ of Mr. Clarke, of Ellenthorpe Hall came up to the spot. He had a gun in his hand, and after eyeing us for a moment addressed me by name, remarking that both of us would have to go with

him to his master's residence, adding that he was well acquainted with my history. I told him not to be in such a hurry, and that he might find himself mistaken, as I arrived free to the colony, and was not at all the person he took me to be. He replied that the first part of my statement was correct, but as my memory seemed to be a little defective, he would take it upon himself to remind me of the sentence of seven years' transportation which I received at Launceston, and still keeping his piece levelled at me, ordered us again to take up our bundles and walk before him.

I obeyed with seeming alacrity, telling my companion to pick up her bundle, and carelessly remarking that the man would shortly find his mistake. We travelled on in the direction of Ellenthorp Hall, although not having the slightest intention of keeping his company the whole of the way, being fully determined to stand the chance of being shot before doing so. I was merely waiting for a chance to rid myself of my troublesome acquaintance, who, at this time, appeared to be much taken with apparent humility, and in consequence became very sociable and communicative, when springing upon him unawares, I wrested the piece, which I immediately discharged, and on breaking the stock against a tree, I knocked him down, and in the excitement of the moment I should certainly have disabled him had not my companion interposed, begging of me to spare his life, which I did very reluctantly, being more inveterate against him than if he were a constable in the discharge of his duty. I then made him go upon his knees and swear that he would never interfere with an absconder while he lived ; but on the contrary, whenever or wherever he should know of any such to be in danger or destitution he would do anything short of risking his life to relieve them ; and not being satisfied with this, I provided myself with a good sapling, and ordered him to pick up the two bundles, when all three returned to the spot where he found us, giving our quondam friend the post of honour on this occasion. My companion at once resumed her culinary operations, while I secured my friend of the rueful countenance, tying him to a tree in our immediate vicinity, assuring him that as he was not to be trusted, I was determined to keep my eye upon him for the remaining part of the day—in short I made him carry our bundles for the next four hours, and secured him again for the night, observing that being the author of his own misfortunes he had no person to blame but himself.

The next morning after breakfast, and when we were about to start, I released him : at the same time putting him in mind of his promise, assuring him that if I ever knew him to break it the castigation that I administered on the previous day was nothing to what he would get on our next meeting. He then took himself off, leaving us to continue our route, devising a great many plans before arriving at any conclusion. At length we agreed to go to the Huon, it being the most likely place for me to elude the vigilance of the police, and also to get employment ; and being under the impression that our friend, whom I had strapped to the willow, might set the beagles on our track, we turned our backs on the tiers, and crossing the main road, arrived at Jericho late in the evening, and not thinking it prudent to expose ourselves to the public gaze, we remained under cover until night set in. Our provision at this time having run short, it was necessary that we should get a fresh supply, and recollecting the old adage, "that I might as well be hung for a sheep as a lamb," I resolved to travel free of expense, having tried hard to earn an honest subsistence, and finding that I was not permitted to do so, I flung every consideration to the wind, resolving to possess myself of anything and everything that came in my way ; and acting upon this principle, at about twelve o'clock that night, I repaired to a large farm-house, which I had pitched upon that evening as the scene of operations, leaving my companion concealed until my return ; being a cold frosty night, I enveloped myself in a great coat, which I intended to take off before proceeding to business,

and having no suspicion that any person was astir, I thoughtlessly moved round to the front of the building, in order to make the necessary observations. I found it to be a rather extensive stone building (Mr. Espie's), with a verandah in front, and not being able to effect an entrance, I moved round to the back which had a verandah also flanked by a room at each end, opening on the former. At this stage of the proceedings I imagined that I heard some person moving inside, on which I shifted my position to the other end of the verandah, not taking the precaution, as I should have done in the first instance, to divest myself of my great coat and boots, being merely a novice in my new profession. A man now appeared without the slightest intimation. How he came there I could not imagine, as at the time that I saw him, he was standing within three yards of me, but on reconsidering the matter, I was of opinion he had heard the sound of my footsteps while reconnoitering the front of the building. Seeing myself baffled I ran in the direction of the gate by which I had entered, followed closely by my pursuer, who did not utter a word. Had I a clear stage, although encumbered with my great coat, I could have distanced him easily, but the delay occasioned by opening the gate, gave him an opportunity of coming up with me. He held a gun clubbed in his hand, with which he struck me a heavy blow on the head, which brought me senseless to the ground, and on regaining my senses, I found him with his fingers twisted round my neckerchief, and his knees on my breast swearing vociferously that he would beat out my ——— brains if I attempted to stir, shouting at the same time for assistance. I lay for about two minutes with my antagonist kneeling on my breast, when hearing the sound of footsteps as of several people running to the spot; with a desperate effort I succeeded in flinging him off, and instantly springing to my feet, my opponent again laid hold of the collar of my great coat. I contrived, however, to slip my left arm out of the sleeve, and fetched him a blow on the face, which brought him to the ground. I then laid hold of his piece, which by-the-bye was a very heavy one, and as he did not appear to show me any mercy, I resolved to show very little to him, and striking him on the head with the butt-end of the piece, he lay apparently lifeless. All this did not occupy one half the time it takes me to describe it. I was bleeding profusely from the wound I received on the head, and as the parties running to his assistance were at this time quite close to us, I flung the piece into a ditch, and ran for about a quarter of a mile, when not hearing any person in pursuit, I slackened my pace feeling rather exhausted from loss of blood. My companion on seeing my face and shirt-collar besmeared with blood, was very much alarmed, but on assuring her that it was merely a scratch and of no consequence, she appeared to be satisfied, and early next morning she dressed the wound, which she described to be about three inches in length, on the crown of my head. We were both of opinion from what had occurred, that it would be more necessary than ever for us to avoid observation, we therefore crossed the Den Hill, and on getting on to the road that leads from Bothwell to Hobart Town, we met two men with a cart laden with kangaroo skins, proceeding in the direction of the former. One of them seemed to regard us very attentively. On proceeding a short distance we diverged from the road, and halted to rest at a place called the "Saddle," and as my companion was much in want of boots, I told her to go into Bothwell and purchase a pair, with any other little necessaries she might require, and that I should remain where I was until she returned, at the same time enjoining her to use all possible despatch. The place where I remained was a thick scrub, but on turning a bend of the road, about one hundred yards distant, you could distinctly see the township. Two hours having elapsed, and my companion not appearing, I began to get rather uneasy, being of opinion that nothing short of personal restraint could have detained her, and resolving at any risk to know the worst, I left

my hiding place, and travelled in the direction of the township. I had not got far, however, when I perceived my companion in company with two men, they all three standing by a fire burning at the end of a log on the side of the road, and judging at once that the men in her company were constables, I returned to my place of concealment, being quite at a loss to know the cause of her detention. Never having known her to be guilty of an act of dishonesty, I firmly believed that she was under restraint, or she would not remain in their company, having ever regarded the cloth with the greatest abhorrence. Under these circumstances, I could not remain passive, and getting on the road a second time, I found that they still occupied the same position, when, for the first time, the thought occurred to me that it was not her they wanted. I therefore concealed myself where I could observe their movements, and in a few minutes the party were joined by two others, making four constables altogether. I could also see that an occasional messenger arrived from and returned to Bothwell, bearing, as I supposed, instructions from head quarters. Being completely at fault as to how she could be recognized, I watched the course of events until it was five o'clock as near as I could guess, at which she moved away from the constables, keeping the direction of the "Saddle," and on getting within about one hundred yards of where our bundles were secreted, she again sat down on the roadside, where she was joined by the constables in a few minutes after. I was now of opinion that they would soon begin the search, and therefore removed our baggage to a place of greater security, leaving her still in company with four constables, but on my return I could see but two, with another in the distance on his way to join the party. They now appeared to have some altercation with my companion, as one of them laid hold of her. She instantly extricated herself from his grasp, and picking up a stone threw it at the constable, who, it appeared to me, was trying to bring her back to Bothwell. In this manner they kept going to and returning from the latter place until nine o'clock at night, without ever attempting to search for me. My temper, on seeing the constable lay hands on my companion, was very nearly getting the better of me; but I resolved to bide my time, and in the darkness of the night I contrived to get close enough to hear what was going on, and, on listening, all I could gather was that they wished her to return with them to the township, where, they observed, she would be much more comfortable than sleeping in the bush, never during the time making the slightest reference to me. I was quite aware that her motive in acting as she had done was simply to let me see my danger, well knowing that I would be watching the whole proceedings. It being now after nine o'clock, and the night intensely cold, and as it appeared to be their intention to remain where they were for the present, I left, with a view of getting my opossum skin rug, returning as quickly as possible, and on seeing but one constable in her company I imagined that the others were planted in the vicinity, under the impression that I would be making my appearance. At this time I was within ten yards of the spot where my companion was standing, and could judge from the constable's speech and manner that he had been drinking, having heard him remark that his name was Ashton, and that he did not care for any man. He then tried to take liberties with my companion, who struck him a blow on the face, which seemed to put him out of temper, as he told her to call her fancy man from the hills. The word scarcely passed his lips, when jumping on the road, I answered "He is here," and rushed towards him. He turned and ran through the thicket, leaving me perfectly astonished at the quickness of his movements, having anticipated a determined struggle with this man, whose language a few minutes previous implied so much bravery. Being much rejoiced at the fortunate turn of affairs, which had through the day assumed so gloomy an aspect, we both put up for the night at the place to which we had previously removed our bedding. My companion informed me that she was dying for a drink of water the greater

part of the day, and producing a bottle of rum I took a hearty drink, after which I proceeded to the township, and soon returned with water. In explaining the transaction, she told me that on completing her purchases, and when returning through the township, she was accosted by a constable named Howlan who knew both of us, having been stationed at Campbell Town. He enquired if I was on the township, and if we still resided at Campbell Town, appearing to be quite ignorant of our recent misfortunes. She replied that she did not know where I was, and observing that she was in a hurry, bid him good day. By-and-bye, however, she was overtaken by two strange constables, who had their cue from Howlan; they had not long been in her company before they met the men who accompanied the cart laden with kangaroo skins, which we had seen that morning on the road to Bothwell, and from them they learned that they had seen a man (at the same time giving a description of my person) in her company at the Den Hill on that morning, and as the reader is already aware of what followed, it will be unnecessary for me to recapitulate it.

At daybreak on the following morning we left our camp, and travelled on in the direction of the Hunting Ground, where, on getting among the hills, we put up for the night, about a couple of miles in rear of Mr. Pitt's, on the Jordan River. A little before nightfall we lit a fire, and having taken some refreshment prepared to retire for the night, when, to our surprise and consternation we were surrounded by three well-armed men, who took us into custody; and having no choice in the matter, I made a virtue of necessity, and accompanied my captors to the residence of Mr. Pitt, who, it appears, was one of the party. Our apprehension on the present occasion was caused by lighting a fire, the smoke from which had been seen by a shepherd, who reported the circumstance to his master; and the latter being of opinion that it was made by some unfortunate absconder, who would be likely to make free with his mutton, repaired at once to the spot, and the reader is aware of the result. We remained at Mr. Pitt's that night, and the following morning we were brought before a magistrate, and as no charge was preferred against us, we were both acquitted, a piece of good fortune which neither of us had cause to expect, and consequently were not slow to take advantage of. Leaving the neighbourhood as speedily as possible, we at length arrived at Hobart Town, where we rented a cottage near the Angel Inn, in Argyle-street. Our next door neighbour being a shoemaker named William M——t, who, I believe, still resides in that locality, I commissioned him to make me two pairs of boots, one for myself and another for my companion. A very slight intimacy existed between us, and my reason for noting the circumstance is that I shall again be obliged to introduce him to the notice of my readers in the after part of this narrative.

Being obliged to remain in Hobart Town for six weeks, in consequence of bad weather, at the end of that time we packed up our things, and started for the Huon, stopping for a few days at Mr. Lloyd's, at the Snug, whose property joined a farm occupied by a Mr. Philip Dennehee, who was a very recent importation from the Emerald Isle, and at that time luxuriating in a bark edifice, some two hundred yards from Mr. Lloyd's. The latter gentleman having informed me that I might likely get employment from Mr. Mitchellmoore, who, with his two sons, were then building a craft opposite Barnes' Bay. I started early in the morning, leaving my companion at Mr. Lloyd's until my return. On my way I called at a hut on the road side to get a drink of water, and seeing no person as I entered was rather surprised on hearing a voice from the room address me in the following manner:—"There's no use; I have not got the money, nor shall I until I return from whaling; and I will not be taken." I requested the speaker to be more explicit, observing that I did not follow the profession of man-catching, but the more I protested the more firmly he was convinced that I was in possession of a writ for his body. I was at a loss to imagine by what he was guided in sup-

posing me to be an officer of the law. His wife now made her appearance, and seemed to be in great trepidation. Finding they were not to be convinced of their error I took my leave, and in half-an-hour after had the satisfaction of coming to terms with Mr. Mitchelmoore, who engaged with me at one dollar per diem to cut spars for the purpose of launching his vessel, and also to cut firewood for the Hobart Town market. I hastened back to impart the agreeable news to my companion, and on coming in sight of my friend of the barricade, who was standing at the door, he immediately disappeared; resolving, if possible, to come to an understanding, I entered the house. The "missus," who appeared to be dreadfully frightened, presented me with a seat, and presently I heard a very doleful sound, as if proceeding from some remote part of the house, from which I could gather that my permission was absolutely necessary, in order to allow some person or other to go on a whaling expedition, who in their turn would certainly "tip up." I requested to know, in the name of everything wonderful, what could give rise to the supposition that I was in any way connected with the law; on which the voice from the interior reminded me that I forgot to conceal some of my robes of office, observing that I should have buttoned my coat if I wished to travel *incognito*. I could scarcely refrain from laughing on finding the cause of their mistake, which was owing to the fact of my wearing a pink cassimere waistcoat. On trying to undeceive the parties, I informed them of my agreement with Mr. Mitchelmoore, but I might as well have tried to whistle down the wind. He kept behind the ramparts until I was clear of the premises; but my companion and I having called at Mr. Mitchelmoore's, my friend of the harpoon was quite satisfied that I was not an officer of the Crown. I was now at my daily labour, and saving the consideration that I might at any moment be separated from my faithful companion, and placed in bondage, I experienced a certain amount of happiness to which for a long time I had been a stranger. Months glided by imperceptibly, and I was beginning to lose that feeling of apprehension, which since my recent misfortune had possession of me, when a circumstance occurred which painfully reminded me of the insecurity of my position. One day while at dinner, a man entered the hut, and requested a drink of water, and on getting it from my companion he addressed her by name. She observed that he was mistaken, but on finding that he recognised me also, I requested him to be seated, at the same time inviting him to have some refreshments. This man knew both of us well, and did not appear to be at all satisfied at my making the discovery. After conversing for some time, my companion still remaining silent, he at length took his leave, and thinking that some explanation was necessary, I accompanied him for about a mile through the bush, and as there was no thoroughfare there at the time it was rare to see a traveller. This circumstance excited the suspicion of my companion, and while on his way he expressed his regret at seeing us, observing that it might occasion us some uneasiness; he also requested that I would not put myself to any inconvenience by removing, understanding by some of my remarks that such was my intention, adding that he was then on his way to Melbourne, and that in any case we had nothing to apprehend from him. I assured him I had no suspicion of treachery on his part, and wishing him luck on his journey, we parted. He remained faithful to his promise, but the occurrence gave rise to the painful reflection that we were liable at any time to be discovered by persons who might not entertain the same feeling of honour. My engagement with Mr. Mitchelmoore having expired, I would gladly have continued in his service if that gentleman had not, through principles of economy, secured the services of another at one half the wages he was giving to me. We found, however, that the money he owed us would be sufficient to defray our expenses to Melbourne, and, consequently, decided upon going there immediately, and taking passage in one of the river crafts, we arrived at Hobart Town on the following evening, where we rented a small tenement at the top of Harrington-

street, and finding that Mr. Mitchelmoore occupied a cottage in Veteran's Row, nearly opposite the watch-house, I called on him on the following morning for my wages, which amounted to nineteen pounds. He regretted his inability to pay me the full amount at the present, and presenting me with a five pound note, promised to pay me the remainder in a day or two. I had to appear satisfied at this, although feeling anything but satisfied inwardly, knowing that I held my liberty on a very uncertain tenure, at least while remaining in Hobart Town.

The cottage in which we resided was situated about fifty yards off the street, having a narrow passage leading to the latter, at the corner of which stood a baker's shop, to which I repaired the next morning in order to get some bread for breakfast, and on entering the shop I perceived a woman standing at the counter, who was apparently waiting to be served. She turned round on my entrance, and disclosed a set of features not at all unfamiliar to me. We regarded each other for a moment in silence, but I soon made my exit, and left her in the shop behind me. On reaching home, I informed my companion that Mrs. Flynn, *alias* Ellen Morgan, my next neighbour at Campbell Town, had seen me at the baker's shop, and also that the recognition was mutual, although not exchanging a word. She replied, after a moment's hesitation, that she (meaning Mrs. Flynn) was all right, implying by the observation that the woman would not mention the circumstance to any person who might injure me. However, after breakfast, I resolved to change my quarters, not thinking it prudent to rely too much upon the secrecy of my old neighbour, and taking my companion with me went in search of a room in another and more remote part of the city, and having accomplished our object, we returned, with a view of removing our little effects to our new lodgings, but on entering the passage leading to the house, I was seized by six constables, who were placed in ambush awaiting my approach, one of whom I knew in Campbell Town by the name of David Gray. Whether Mrs. Flynn had anything to do with my capture or otherwise I shall leave for the consideration of my readers. However, four of the officials constituted my bodyguard, the other two taking care of my companion, and placing us in safe custody they returned and brought all our moveables in a hand-cart to the prison.

The next day, at eleven o'clock, I was placed before Mr. John Price, of Norfolk Island celebrity, who in his own peculiar style exclaimed, "Well, Martin, you've had a pretty good run this time, however, I believe you've acted on the square, as I am aware that you've been working at one place for the last twelve months, don't you think Martin that your master knew you were wrong." He here brought his glass to bear upon me, evidently expecting an answer in the affirmative; I replied that I was thankful to any person who gave me a day's work, but them I always rated as employers, not as masters. He asked me no more questions, but remanded me for a week, at the end of which time I was again brought into his presence, and remanded for another week. While under remand I was ranked up with five others for identification, one of whom was an old acquaintance when at Jerusalem chain-gang, and who is now a public officer of some notoriety, known by the name of S——n B——y. We were scrutinised by two very seedy-looking characters, whose real position in society it would have been difficult to define if taken by appearances, they were accompanied by Benjamin Watson, who was then district constable, and Hopping Bryce, who was acting as his subordinate. The former, during the examination, continued to stare at me and at the scrutineers alternately, evidently with a view of concentrating their attention in me particularly, but as they were honest they selected the only honest man in company, S——n B——y, on which we were conducted back to our prison; it appears that Solomon after getting into high life, and becoming a government officer took it into his head one day during the New Town Races, to

exercise his old profession, in company with his mate of less notoriety, named Cupps, the scene of operations being a cottage on the New Town road. These two worthies took the liberty, while the occupants were seeing life at the races, to effect an entrance, and having secured what was moveable, were in the act of making tracks, but on the neighbours giving the alarm, they were both apprehended, and for this, Solomon was sentenced to transportation for life; what became of his mate, I do not know, being a person of very little importance, his case received no particular attention; but I know that while Solomon remained in gaol, the only consideration which appeared to annoy him was the loss of his high position in society, resolving upon various expedients in order to establish his claim to a renewal of office, former services being the ground or rather the stage, upon which he mainly depended. The government, however, were wise enough to recognise his dexterity, and restored him to office under certain restrictions. Great men, they say, will not be restricted, as in the case of Sir Charles Napier, when in command of the Baltic Fleet; but Solomon, although being a functionary of some celebrity, was still a man of the world, and thinking that he had better hold a candle to his sable majesty, gladly embraced office under those or any other restrictions whatever. He was, therefore, in lieu of the four years which his sentence involved, to take it out at four gaols, viz., Launceston, Oatlands, Richmond, and Hobart Town, having to serve one year in each respectively.

I recollect a circumstance that occurred while I was on remand in the gaol. A soldier who had been committed for trial, received a packet containing provisions from some of his friends outside the prison, on which occasion he appeared to be very much elated, and while breaking some of the loaves, in order to distribute it among his fellow-prisoners, he dropped on the floor, and was dead in a minute, having burst a blood-vessel through over-excitement.

Three weeks having now elapsed, I was again brought up for trial on the charge of absconding. Mr. John Price having again presided, stared at me intently with his glass firmly fixed to his eye, and addressed me as follows: "Well, Martin, it appears that you have behaved remarkably clever on this occasion, acting on the square, as we must suppose; but Martin you will not best me, as I intend to place you where you will be safe for some time to come, and thereby save you the expense and trouble of peregrinating through the country. I therefore sentence you to two years in addition to your original sentence, and also to four years' imprisonment to hard labour at Port Arthur, and if this will not effect a reformation in your character, I shall see what else can be done for you."

At the conclusion of the sentence I left the dock, a strange feeling taking possession of me, which I then could not define, but which ultimately settled down into a deep and concentrated hatred of that power which was undeservedly prosecuting me. I therefore formed a resolution to thwart that power as far and as often as I was able. However, I was forwarded to the Prisoners' Barracks on the same evening, and delivered up to that pattern of convict superintendents, William G—n, who some years previously had his arm shot off by an Irishman named Murphy—he ever afterwards regarded the name with the utmost abhorrence. Once while Mr. G—n was exercising his powers of oratory in Hobart Town, on some public occasion, Mr. Gellibrand, who belonged to the legal profession, stood up at the conclusion of the harangue, and observed that he never heard such a feeble report from such a very long gun. To return to my narrative. I must inform my readers that at the time of my introduction to this emporium of filth and iniquity (the Prisoners' Barracks) the authorities evidently expected some visitors of consequence, as the whole of the buildings were undergoing a thorough course of whitewashing, which they appeared to stand much in need of, but the most essential part of the cleansing process was entirely overlooked, viz., the

bedding, the filthy state of which beggars description. When everything assumed a holiday appearance, Sir John and Lady Franklin promenaded through the prison, and on paying a flying visit to the mill-wards, where I was located, made a hasty exit, not for a moment stopping to enquire if any of the prisoners had complaints to make. As a matter of course they were chaperoned by "the Super," who appeared in all the pomp and privilege of office, and consequently they declined making enquiries that might have resulted in troublesome and annoying disclosures. Persons drowning, they say, will catch at a straw, and so likewise did the poor prisoners anticipate great and beneficial changes as the result of Sir John's visit. Among other advantages they were to be permitted the use of a knife at their meals, and also a tin pannican to hold what they were pleased to term soup, but as I only remained a fortnight at this establishment, I did not see these changes come into operation. During my time, the allowance of meat, soup, and vegetables for ten men were promiscuously thrown into a wooden kid, and this had to be divided, minus a knife, fork, or spoon, on the steps of the mill-wheel, the best man getting the largest share, which he would have to eat how and where he could, tables and chairs at this time not being in requisition, and a man who was not reduced to a state of absolute starvation would not attempt to touch this heterogenous compound after the manipulation it underwent in the process of distribution. Neither cleanliness nor order was at this time established, and this state of things existed under the supervision of Mr. G—n.

At the time of my incarceration I was in possession of a new pair of Blucher boots, which I sold to one of the wardsmen for two shillings, and being nearly famished with hunger, my first consideration was how to procure some bread. The wardsmen, however, on being reimbursed for his trouble, brought me a two pound loaf, and conveying my prize to a remote corner of the ward, I commenced at one end and very soon finished off at the other. There was a system of traffic carried out in this establishment at that time, which enabled any of the prisoners who might be fortunate enough to save their clothing from being barbered, *i.e.*, stolen, in the night, to dispose of them in order to allay the cravings of hunger, as on their first entree they would, in nearly all cases, have to be reduced to a state of positive starvation before they could use the rations served out in the establishment, and the fact of the prisoners being permitted to wear their own clothing gave rise to a system of thieving one from another, which, in nearly every instance, escaped detection, owing to the great laxity of discipline which then prevailed in this establishment. When a new arrival made his appearance, he was examined minutely by his fellow-prisoners, and should they see him possessed of an article of wearing apparel that would be at all disposable, they would steal it in the night; he could not, of course, point out the thief, and so the matter ended.

CHAPTER III.

Janus himself, before his fane shall wait,
And keep the dreadful issues of his gate.
With bolts and iron bars, within remains
Imprisoned fury bound in brazen chains.

Port Arthur.

I was now called out, together with fourteen or fifteen others, the whole being placed in heavy irons previous to our embarkation on board the "Tamar," brig, where, in a few minutes, we found ourselves stowed away in the hold, our only bedding being the stones which she carried as ballast. The hatches were immediately secured, leaving us in total darkness, and in this situation we remained until eight o'clock on the following morning, when she dropped anchor at Port Arthur. We were then brought on deck and sent on shore in a launch, and immediately after we were ranked up at the office where we had to await inspection. The barber here made his appearance, and in an incredibly short space of time freed us from everything in the way of embellishment. He scorned the use of a comb on this occasion, merely catching the hair with one hand, and using the scissors with the other. Our descriptions were then taken by the clerks of the establishments (no easy matter by-the-bye), and it only now remained for us to be introduced to the Commandant (the famed O'H—a B—h), in order to receive the usual amount of sympathy and condolence from that high official of blessed memory, when we would be legally entitled to a share of the whippings so unsparingly and indiscriminately administered at that time at Port Arthur. On being brought before this great man, he represented the very mild form of government which under his rule was carried out on the peninsula; he also described the superiority of the ration, and enlarged upon the humane qualities of his overseers, sub-overseers, extending down to his constables and watchmen, observing that nothing short of the most rascally ingratitude could induce any of us to abscond; and here he became a little excited, and were he not visible, a person might be led to suppose that Daniel Lambert was resuscitated, and installed in office. He remarked that prisoners who were guilty of this base act of ingratitude, subjected themselves to the utmost rigour of the law, having no mercy to expect, swearing by his heavens he would show none. He concluded, however, by observing that there was but one gate leading from the peninsula, the key of which remained in his pocket. We were then dismissed, and in order to give us an opportunity to digest this piece of admonitory information, we were conducted to our respective cells, where I formed the resolution to possess myself of another key that would at least answer my purpose. My readers will understand that O'H—a B—h spoke in metaphor, the key he alluded to being nothing more nor less than his permission to leave Port Arthur at the expiration of sentence. We were next taken to the stores, where the irons were removed from those who were not sentenced to wear them. Each prisoner being supplied with a suit of yellow clothing, our private clothing being taken from us, with the

exception of our braces, which was the only article of our own we were allowed to possess, and here let me observe that it would be better for a great many had the latter been taken also, as I have known men to be flogged and otherwise persecuted simply because they would not give their braces to the sub-overseers. The latter were men selected from the gangs, and the greater the ruffian, the longer he retained his billet. They had great power, as a prisoner in the gang would be flogged upon their bare assertion. I do not mean to say that a prisoner would be flogged for refusing to give his braces to the sub-overseer; I merely say that by so doing, he incurred his displeasure, and this was a safe passport to the triangles. On getting our outfit we were re-conducted to our cells where I found a tin plate and pannican, to which my local number was affixed. The scavenger now made his appearance, bearing a basket containing the necessary number of what was then denominated clubs of brown bread, each weighing about six ounces, which together with a pannican of skilley (a compound of flour and water) constituted our breakfast; each prisoner, by the authorised scale of rations, was allowed two ounces of flour daily, to be made into gruel or skilley, and this being weighed in the bulk is afterwards placed in charge of the overseer of the cook-house (a prisoner under sentence), three-parts of this flour is purchased from the cook by overseers who have families, and a modicum of the remaining portion is absorbed in the making of fat cakes to be distributed in the shape of a bribe to the sub-overseers and watchmen who may be privy to their mode of traffic. I will not attempt to say that this knavish proceeding had been carried out at Port Arthur to the same extent that I have seen it in other places of the kind, but although abridged in its limits, it certainly existed.

The leading working party at Port Arthur was known as the carrying gang, which was divided into several departments, some carrying planks, others carrying beams, and a small party for carrying shingles. Myself and my unfortunate shipmates on board the "Tamar" were told off to the latter gang, which was under the control of a sub-overseer, named Benjamin Stephens, whose reputation for cruelty and oppression had no parallel. We had to proceed for nearly four miles through an almost impenetrable scrub, the shingles being placed on the summit of a steep hill named Tongataboo. The shingles were tied up in bundles, each of which was supposed to weigh twenty-five pounds, but in their green state would much exceed that estimate. Each man having picked up his bundle, the word "Forward" was given, and off we started. We were allowed to rest at certain places marked out for that purpose, and in this manner the shingles were conveyed to Port Arthur. The plan adopted by Stephens on this as on all other occasions, when new hands arrived, in order to break them in as he termed it, was to place men, whom he patronised and brought over to his interest in front of the gang, these men were well acquainted with their work, and having a good understanding with Stephens, they would run the remainder of the gang. The object Stephens had in view being simply to extort money, braces, or whatever else he could get from the new arrivals. In this he was assisted by his runners, who generally knew when there was anything to be extorted, and winning the confidence of the persons who they imagined were in possession of a few shillings, would then suggest the necessity of tipping the overseer, in order to get a slant. All were fish that came into their net, and should a fancy pair of braces attract their attention, woe betide the proprietor if he did not give them up on receiving a hint that they were a very nice pair. These men were in full blow and vigour on the day I first ascended Tongataboo, and it may be necessary to observe that they were not dependent upon their ordinary ration as their participation in the perquisites received by Stephens from the new arrivals enabled them to fare abundantly. At a quarter to twelve a ball was hoisted at the flagstaff, the usual signal for the gangs working in the bush to

repair to dinner, and having deposited our bundles on the station, we were then conducted to our cells. My dinner, for which I had an excellent appetite, consisted of six ounces of salt pork, one pint of soup, and twelve ounces of brown bread. I cannot describe the soup, but I can inform my readers of the manner in which it is prepared, viz., the salt pork when boiled is taken from the copper, which being again nearly filled with water, the allotted quantity of Swedish turnips and cabbages are then cut up and placed in the copper, and when nearly cooked one or two pieces of the pork are again returned to the copper, with a view of giving it a flavour. Each prisoner was allowed one pint of this compound for dinner. We again resumed our labour, and about three o'clock in the afternoon the rain came down in torrents, drenching us completely to the skin. We continued to work until the ball appeared at the flagstaff, when we were conducted back to the station. My apartment was six feet long by three wide, in the corner of which, folded up with military precision, lay my bedding, consisting of a single blanket, rug, and empty canvas mattress. I stood shivering in my cell, the rain dripping from my clothes, until the wardsman brought me my supper, after which I retired for the night.

The bell rang out at five o'clock on the following morning, it being two hours before daylight, and on putting on my clothes I found them nearly as wet as on the previous evening. We were then escorted by a host of constables and watchmen to a yard adjoining the cells, in order to perform our ablutions, and on returning to our domiciles we received the stipulated quantity of brown bread and skilley, after which we were left to cool our beds, in anticipation of daylight, at which time we resumed our labours. I had only been in this gang four days when one of the prisoners who came down in the vessel with me, named John Thompson, a tailor by trade, and who appeared to be a sickly attenuated-looking man, remained a little in rear of our party, being evidently unable to keep up with us, and as Stephens heard that "he held it" (a slang phrase implying the possession of money) and would not "tip up," he resolved to take it out of him in another way, and the opportunity having presented itself, he laid hold of Thompson, and pushing him on before him for a few paces, then gave him a kick, which sent him to the ground, and while down, he again kicked him several times. On getting up Thompson was marched in rear of the gang to Port Arthur, and being charged by Stephens with refusing to work, he on the same day received twenty lashes. This circumstance will give my readers some idea of the power which these unprincipled ruffians could exercise over the prisoners placed in their charge, as Stephens was a fair specimen of about twenty others, in whom the same authority was invested. Being now a week in this gang, my feet became dreadfully lacerated through wearing a very strong pair of boots which were issued to me on my arrival, and a tumour appearing in one of my toes, I was unable to walk, and, consequently, had to apply to the doctor (Mr. Brownell), who, on examining my foot, observed that I did very well in coming, or in all probability I might have lost my foot. It struck me at the time that he was the first person I had seen at Port Arthur who evinced the slightest feeling of humanity. I remained under his care for the next three weeks, after which I was removed to another department, where we were employed in carrying beams 12 × 12, forty feet long, from the saw pits, a distance of from three to four miles. The manner of carrying these beams was as follows:—The party were placed at each side of the beam, and at the word 'pick it up' being given, all hands stooped and laid hold of the beam, raising it gradually until all had it on their shoulders, and any prisoner, who the overseer imagined was skulking, was immediately called out, and a flogging was certain to be the result. I remained in this party for the next six weeks, until, by a lucky chance, I was removed to another, which was employed in cutting firewood for the station, and in charge of a sub-overseer named Riley, who put me to fell

timber, but in two or three days after I was again picked out by a sub-overseer named Reid, who was in charge of a portion of the gang, and who, it appears, had more authority than Riley. I and another were then furnished with a saw (and I recollect that it was a very bad one), and told by Reid that he wanted a certain quantity of wood cut, and if we did not perform our task, we might probably feel the consequences. In the evening, on looking at our work, Reid told us to prepare for the office. We pointed out the very indifferent tool he had given us, but it was of no avail. Reid told us that he wanted no law, ordering us at the same time to come on, and not be keeping him. We therefore repaired to the station, where we were met by an old man named Thomas Ballard, whom I had known in Campbell Town, and who, it appears, had received a sentence since I had quitted it. He enquired what was the matter, and on my telling him, he at once addressed my friend Reid, who had us in charge, stating that if he (the overseer) had known me better, he would not take me to the office, but the latter, in a bullying tone, remarked that he should have his complement of wood, and good wood too. Ballard here whispered something into his ear, and in a moment "a change came o'er the spirit of his dream." We were safe for that time at least, poor Ballard giving him two shillings to square him.

It being mid-winter, I deferred carrying my plan of escape into execution, judging that in warm weather the chances would be in my favour. About this time six Sydney prisoners absconded, one of their number, under the soubriquet of the "Jaguar," acting as their guide, having been a number of years in the colony he affected a knowledge of the country which it appears he did not possess. They contrived; however, to escape from the settlement, and on reaching the summit of Tongataboo, halted for the night. Early next morning the Port Arthur bell rung out, upon hearing which their guide informed them that they were within a short distance of Pittwater, and taking the lead conducted them safely back to the settlement (Port Arthur), at the same time giving them the slip, on finding his mistake—a wise action on his part—as I believe his companions on learning the true state of affairs would have certainly taken his life. He merely overrated his knowledge of the bush, although not intending to deceive them. I was now transferred to another party, under the control of a sub-overseer named McManns, and employed at digging drains at a place called Opossum Bay. A greater wretch than this McManns I never heard of in the shape of a man. In nearly every instance he took the law into his own hands before submitting his victims to the tender mercies of O'H—a B—h, acting nevertheless with great judgment in selecting his marks and interfering with none but those who he imagined would allow themselves to be kicked and buffeted. I had seen him in the gaol at Launceston, where he was sentenced to transportation for life, and was of opinion that it was owing to this circumstance that he did not interfere with me while in his gang, as he never appeared to notice the amount of work I performed, and on all occasions addressed me in a civil and friendly manner, yet I inwardly detested the man, on seeing the manner in which he treated the poor wretches who were not able to defend themselves.

At this time an occurrence took place, which may help to give some idea of the state of affairs then existing at Port Arthur. In a brickyard, situated within half a mile of where we were employed, an old man, who was considered too feeble to work, had been placed as a watchman, remaining night and day in a temporary hut, which had been erected for his use. One of the prisoners, named Shaw, who was employed in making brooms for the settlement, entered the hut and finding the old man inside, murdered him, and after collecting what eatables he could find in the hut, sat down to enjoy himself. While so doing, two other prisoners, whose names I cannot recollect, happened to call at the hut, and seeing Shaw so employed and the old man lying dead on the floor, they at once reported the circumstance.

Shaw was apprehended, and subsequently tried at Hobart Town, where he was sentenced to transportation for life. There was also a gang termed incorrigibles (*i.e.* men who had been subjected to all kinds of punishment without effecting a reformation in their character); they had a place peculiarly constructed, where they were employed in breaking stones. It was a long passage divided into compartments by a brick wall, about four feet high, with benches in front, on which the stones were placed, each man having to work in a standing position, while chained to a ring set in the wall. Two men belonging to this gang, one of them being a very young man named Smith, and the other known under the cognomen of Doughboy, while working in the stalls contiguous to each other, had some altercation, when the former raised his hammer and hitting the latter on the head killed him on the spot. At his trial, which took place in Hobart Town, the evidence being quite conclusive, no person doubted his guilt; but Mr. Macdowell, who was watching the proceedings, demanded the man's acquittal, on the ground of some informality in the indictment, and Smith was discharged from the dock. Mr. Edward Macdowell had then but very recently vacated the office of Attorney-General.

I now began seriously to arrange my plans, as during my time at Port Arthur, I continued to make observations, in order to facilitate my escape. Keeping my thoughts and intentions, however, to myself, it being an every day occurrence for one prisoner to turn round upon another and inform the authorities of his intention to abscond, which entailed nearly the same amount of punishment as if he had actually committed the offence. This, of course, caused distrust and suspicion to exist among the prisoners. I was on one occasion, selected with two others, to carry rations to a party of soldiers stationed at Mount Arthur, from the summit of which the whole Peninsula can be scanned with the naked eye. This I considered a fortunate circumstance, as it would give me an opportunity of marking the situation of Eagle Hawk Neck, the point at which I intended to effect my escape. On arriving at the summit of Mount Arthur, we were permitted to rest for an hour, during which time I took in the whole line of country. I wanted more particularly to mark the situation of Eagle Hawk and East Bay Necks, and enquiring in a careless manner, had them both pointed out to me by my companions, who were old hands. It may be necessary to give the reader a brief description of both these places. I must inform him that there are two peninsulas running along the east coast: Tasman's Peninsula on which stands the prison, being joined to Forestier's Peninsula by a narrow neck of land which is named Eagle Hawk Neck, and the strip of land which joins Forestier's Peninsula to the mainland is named East Bay Neck. A strong party of soldiers were stationed at the former, who mounted guard regularly, having sentries posted at respective distances across the Neck. A number of savage dogs had also been chained in such manner as to allow them to meet across the Neck, each of them receiving the prison scale of ration. It was considered therefore impossible for a prisoner to pass these dogs, irrespective of the chain of sentries with loaded guns, without being torn to pieces, and in addition to the military, there was a strong party of constables also stationed there, and several others likewise stationed along that line of country, it being the only outlet from Tasman's Peninsula, every possible precaution was taken to render it secure. On making myself acquainted with all these particulars, I concluded that the fac-simile of O'H—a B—h's key was now in my possession, and it only remained for me to make use of it. I had the character of a clever bushman while in New South Wales, and I was of opinion that should an opportunity offer I would be successful. On my return to the settlement, my heart was lighter than it had been for a long time; thoughts of liberty again began to intrude themselves, and I could now think of nothing but my contemplated journey to the main-

land. I was now employed with five others in getting logs for the sawyers on the settlement at a place called Long Bay, about three miles from Port Arthur. The first day that we commenced operations under the supervision of a worthy known by the name of Cranky Jack Smith, the latter on addressing one of our party, delivered himself as follows, "Look at that —, look at him standing over that log like a pair of fire tongs," and rushing upon the poor man dealt him a blow with his shut fist, which knocked him down. These men were generally backed up by a few members in their gang, who are in expectation of billets through the influence of the sub-overseer, and will consequently do anything to secure his good opinion, knowing he has the power at any time to baffle them in their expectations, should they come under his displeasure. He afterwards marched this man to Port Arthur, remarking that he would square accounts with him, leaving us in charge of one of his toadies. He got the unfortunate man thirty-six lashes, and on his return expressed a determination to deal in a similar manner with a few more of us if we did not "look out." The following morning, we had an addition of two more to our party, one of whom was that well-known character, Hangman Thompson, who in after years, when at the diggings at Melbourne, was recognised by some of his old prison mates, who dragged him to pieces with bullocks. On the present occasion he appeared to have a very good understanding with our worthy sub-overseer, which put me in mind of the old adage, "that birds of a feather will flock together." I may observe that the hope of freedom had hitherto restrained me from dealing with Cranky Jack, who as yet had not interfered with me, yet I often felt excited when I saw him strike and ill-treat others belonging to the party. I found also that I would have to obey the orders of Hangman Thompson, who appeared to be second in command, and was therefore of opinion that I could not possibly await the time which I had fixed upon for making my escape. My situation becoming daily worse, those two scoundrels finding that I detested them, tried to annoy me upon every possible occasion, and had I not my plans well-digested, I should certainly have dealt with one or both of them. A casual acquaintance of mine, who was billeted on the station, promised to supply me with some bread, which I told him I wanted for another, but at the time appointed, he saw me and did not appear to know me. This occurred on our way to work, and on reaching Long Bay, Cranky Jack ordered me into the water to pick up some heavy stones, which he observed prevented the boats from coming alongside the jetty. I obeyed, and after getting thoroughly drenched in the operation, joined the rest of the party. In a few minutes he opened upon me for the first time, and swearing by the book of —, he would show me a new act that had lately come up. I very soon showed him one, by picking him up after first knocking him down, and carrying him to the top of a steep bank, about twenty feet above the level of the water, I flung him headlong into the Bay. The affair occupied but a couple of minutes, and while the others were busily engaged in trying to lift him out of the water, I started in search of liberty.

It may be here necessary to inform my readers that before I arrived in the colony a system of telegraphing had been established throughout the Peninsula and on to Hobart Town. The semaphores were worked upon a principle laid down by the then chief constable Mr. John Evenden, who also instituted codes, in fact he was the originator of the whole scheme which rendered it nearly impossible for an absconder to escape. I subsequently had reason to wish the originator in a place I will not mention. The prisoners stood very much in awe of him owing to his untiring exertions in capturing all who attempted to escape, my own case affording a melancholy proof of the truth of these assertions. But to continue, from Long Bay I crossed Signal Hill, taking the direction of Norfolk Bay, and keeping the latter a little on my left,

got upon a chain of hills running parallel with the road leading from Norfolk Bay to Eagle Hawk Neck, when travelling for about a mile, being cold, wet, and hungry, I lay down to rest at the foot of a tree, and at daylight next morning on looking around I observed a steep hill, about four miles ahead, from the top of which I imagined I would have a good view of the Neck. On reaching the summit I saw the soldiers mounting guard, the constables on the alert, and the semaphore, which stood on a hill in rear of the guard-room, was hard at work. I lay in my new position all that day, seeing armed constables continually moving along the line, and one or two parties searching the bush in rear of my position. I also observed three huts about a mile apart from each other, fronting the road leading from Norfolk Bay to Eagle Hawk Neck, by the side of which was a sheet of water about half a mile in width, that ran up to the neck and separated both peninsulas, where I selected a place to swim across, it being a little beyond the second hut. At eleven o'clock that night, as near as I can guess, I sallied forth from my hiding-place, firmly resolving to touch the land on the other side or perish in the attempt. When within 100 yards of the hut I took off my boots, advancing to the road as silently as possible. A constable passed within ten yards of me, who I knew was on his way to meet another, at a certain distance, thereby keeping up a chain of patrols all along the line. I waited for a few minutes, until I found the coast clear, and having safely crossed the road, at length arrived at the water side, where I instantly divested myself of my clothes, and placing them in a bundle on my head, I struck off for the opposite side, trusting that I might escape the sharks on my passage, as I had done those I left behind me on the land. On nearing which, I had some difficulty in forcing my way through a dense mass of sea-weed, succeeding at last in reaching terra firma. I dressed as speedily as possible thinking that the most difficult part of the business was already accomplished, which caused me to be in such excellent spirits that the feeling of hunger with which I had been tormented the greater part of the day had now left me. I travelled on through a prickly scrub for an hour or two, when feeling tired and exhausted, I flung myself on the ground, and waited for daylight, on which I continued my journey in the direction of East Bay Neck. Towards evening, I heard a bell, and taking the direction of the sound, I perceived that it was a probation station, judging from the grey clothing worn by the prisoners, who were returning from work. I therefore gave them a wide berth, pursuing my journey until night, when finding myself completely worn out with hunger and fatigue, I dropped on the ground, and was asleep in a few minutes. This being the third day without tasting food, I passed a restless night at the foot of a tree, and early the following morning resumed my journey, feeling certain that I would reach East Bay Neck in the course of an hour or two. But in this I was disappointed, as about four o'clock in the afternoon I became apprehensive that I had lost my way; and on this supposition I retraced my steps, in order to find the road, which would guide me on my route, and which I resolved to keep in view for the future. On reaching the road I lay down within a few yards of it until morning, when I continued my journey, feeling a sharp pain in my right breast, and drinking water wherever I could find it. I proceeded on my journey until four o'clock in the evening, when Mr. John Evenden and a party of his constables came suddenly upon me. I attempted to run, but being five days without tasting food of any kind, the party soon came up with me, and seeing the futility of fighting against Fate, I surrendered, and at this time I was within one mile of East Bay Neck. I was then taken to a constable's hut about a mile from the scene of my capture, where we found two other constables standing before the door, who enquired of my captors where they had found "that fellow;" but on hearing that I was the Martin Cash who had bolted from Port Arthur, they regarded me with looks of compassion, and one of them told me to enter the hut, observing, "Well, Martin,

you meant it, come inside, and here is plenty for you to eat and drink, but do not indulge too freely mind," he added, "I do not say this through motives of economy, I am only afraid that it may hurt you being so long without food: eat little, and as often as you like. I pity a man like you," he continued, "who has made such a clear 'get away,' but I have no pity for the crawling rascals who generally abscond from Port Arthur, as they never get more than three or four miles from the settlement before they are captured, thereby giving constables trouble and annoyance, without any benefit to themselves." Mr. Evenden immediately despatched a constable to the signal station on Forestier's Hill, with instructions to telegraph the particulars of my capture to the Commandant at Port Arthur, and also that I was not in a fit state to travel that evening. The constables behaved remarkably kind to me. While here, however, on the following morning, I was handcuffed, and marched through Eagle Hawk Neck, and then on to the settlement, where, on nearing the latter, the gangs were drawn up on the road in readiness to return to Port Arthur. On their hearing that I had been captured within one mile of East Bay Neck, they regarded me with looks of astonishment, and from what I could glean from their observations, was of opinion that I had earned a reputation for which I would have to pay dearly. I was locked up in a cell on my arrival, where I received substantial marks of favour in the shape of an extra allowance of brown bread and an unlimited supply of skilley. A feeling of commiseration was even evinced by the villainous sub-overseers, as it appeared to them, and in fact to all my fellow-prisoners, a daring and hazardous feat to cross the Neck, and thereby take the key from O'H—a B—h's pocket, it being his constant boast that it always remained there.

On the following day I was brought up for trial, and while standing in front of the office one of the billeted hands assured me in a low tone that I would get one hundred lashes in less than ten minutes. This was cold comfort, but I believed this was his opinion, as in all cases of absconding the "lash" was certain to follow. The words "Martin Cash," however, called me to attention, and in another moment I was standing before the Commandant, who on this occasion was assisted by Mr. Lempriere, an officer in the Commissariat, and the Muster Master having proved the charge, O'H—a B—h asked me if I had anything to say for myself, at the same time regarding me with a look of deep and deadly hatred. I calmly replied that I had not, observing that it was the first and certainly should be the last time I should ever be guilty of a similar indiscretion, which entailed so much misery upon the unhappy offender, without offering the remotest chance of escape, and that under any circumstances and in all situations, I should feel it my duty to point out to my fellow prisoners the folly and absurdity of the proceeding, which could only subject them to starvation and peril (as in my own instance), in addition to the punishment that awaited them on being captured. O'H—a B—h now addressed his colleague in a low tone, the fire of malignity which had lit up his eyes on my entrance having now disappeared, he next turned to the clerk and enquired if I was sentenced in town to wear irons, and receiving an answer in the negative, he sentenced me to eighteen months' hard labour in chains.

In order to explain my conduct when arraigned for trial I must beg to state that although vanquished for the present I did not despair of ultimately effecting my object, and could I by any subterfuge evade a flogging, which would necessarily promote me to the "Log," and thereby deprive me of all chance of escape. The unfortunate man subjected to this punishment having a square block of wood firmly secured to his irons by a chain about three feet long, he is therefore obliged to carry this block of wood to and from his place of work, and in fact upon all other occasions whenever he moves throughout the day. I dreaded this punishment more than flogging, and it

was with a view of escaping it that I framed my defence. On receiving sentence I was escorted to the blacksmith's shop, where, contrary to my expectation, I was fitted with a very light pair of irons, the blacksmith appearing to give himself a great deal of trouble in the selection. There are several sorts of irons, some of which are altered by the blacksmith, who frequently gets tip for a pair of light ones, as it is a matter of no little consequence to the wearer, and as I had nothing to offer, I expected something in a very different style, but I was most agreeably deceived. I mention this in order to show the feeling that existed towards me among my own class, simply because I had crossed the Neck, and during my stay on the settlement they one and all, on every possible occasion, evinced the same friendly manner towards me. I was next employed in carting stone from the quarry, the gang to which I belonged being in the charge of a free officer, and it being close upon Christmas I deferred making another attempt for a fortnight or three weeks, when I should be perfectly recovered from the effects of my late adventure. The men who worked in the quarry, although belonging to my gang, yet formed a separate body. We were permitted to converse with each other, and here I became acquainted with Kavanagh and Jones, both of whom had been transported for life from Sydney for being under arms in the bush, but not in company. As I before observed, my last affair gained me some little notoriety, and it appears that Jones recollected hearing my name mentioned in Sydney, as it appears he was in the service of Captain Pike (but this was after I had left the service of Mr. Bowman), and mentioned this circumstance to Kavanagh, to whom he represented me as the cleverest bushman in New South Wales. I was quite ignorant of all this at the time, and can only recollect that one day while waiting in the quarry for the cart to be laden, I was accosted by Jones, who enquired if I was the Cash who had been stock-riding for Mr. Bowman. I replied that I was the person. He then assured me that he knew me well, if not personally, at least by report, remarking that as we had some little knowledge of each other, we might speak in confidence. He then abruptly enquired if I intended to abscond. I looked at him for a moment, and answered yes, and on his demanding the time, I replied "Now, if you are ready." Upon this he pointed to a tall, powerful looking man, who was working in a distant part of the quarry, at the same time telling me that his name was Kavanagh, who was also a Sydney man, and had a strong inclination to abscond. I remarked that there might be a great many Sydney men who were inclined to do the same, and assured him that if he let any more into his confidence, I should try my luck alone. He then expressed a wish that Kavanagh should bear us company, to which I consented, and the following day I had a visit from Kavanagh, who appeared to be in high spirits, at the same time speaking of my last adventure in very flattering terms. He then promised to be faithful, and that if I should point out the road for him and Jones that would be all they should require of me. This was giving me the child's part of the affair, but it will appear in the sequel that my appointment as guide involved other and more hazardous duties. He next suggested the necessity of deferring our plans for a few days, in order to give him an opportunity of providing some provisions for the journey, which I knew was a most necessary precaution. A man named Joshua Roberts, who was then cook to Mr. Lempriere, was the person he expected would provide him all that he wanted for the road. We then agreed to make the attempt on the afternoon of Boxing Day, when the carts to which I belonged came up to the quarry for the first load. We would then be all three in the quarry from whence we would start. We then separated, each joining his respective gang.

Since my return to Port Arthur, I was strictly confined to a cell on all occasions when not at work; and when alone in the night, I reflected that

I was now in a measure pledged to two desperate men, who had been under arms in the bush in New South Wales, where they had made themselves pretty notorious. I could not help noticing the remark made by Kavanagh that all they required of me was simply to point out the way, and was of opinion that it indirectly implied want of courage on my part. I thought that in cases of emergency I would not be found wanting, and if I must confess it, the remark nettled me a little, although it may have been made unintentionally. I did not communicate with either of my intended comrades until the morning of Christmas Day, when those who were kept in the cells, together with all other prisoners, were permitted to assemble in the yard, and also to receive tea, sugar, tobacco, or whatever else would be given them by the free overseers. They were also permitted to smoke tobacco for that and the three next days, after which if any was found with a prisoner he would be sure of a flogging. There was a stage erected in the centre of the yard, where comic and sentimental singing was to be heard. We had Portuguese Joe in the character of Darkey and the famed Frank the Poet, who threw off a few extempore verses for the amusement of the company, at the same time giving his coat of arms, viz., "My name is Frank McNamara, a native of Cashell, County Tipperary, sworn to be a tyrant's foe, and while I've life I'll crow." On one occasion when Frank was brought before Captain Murray for getting drunk, the latter sentenced him to fourteen days' solitary, at the same time asking him what he had to say to that, to which Frank replied, "Captain Murray, if you please, make it hours instead of days. You know it becomes an Irishman to drown the shamrock when he can." I believe his request was complied with. The day with us passed off very pleasantly.

The following day on the gang repairing to the quarry, I anxiously cast my eyes in the direction of my two friends from whom I did not receive the slightest token of recognition. Not knowing well what to make of this, I walked deliberately over to where they were at work; fixing my eyes on them for a moment, they both instantly dropped their picks, and springing on a steep bank, were lost in a minute in the scrub, I soon following their example. Kavanagh took the lead, as he knew best where to find the swag which contained a quartern loaf and seven pounds of flour. We had scarcely advanced a hundred yards when the whole settlement appeared in commotion—constables and other officials rushing in all directions; prisoners, also, who had completed a certain period of their respective sentences were pressed into the service, with a promise of a ticket-of-leave should they succeed in capturing us; every possible and impossible device being resorted to, and the signal staffs also kept in full play. It being my turn now to take the lead, I made direct to the foot of Mount Arthur, as I did not think it safe to cross any of the thoroughfares on that day. I therefore proposed that we should halt for the present, being then in the centre of an almost impervious scrub, where we could remain in perfect security. While in this position I weighed the matter carefully, and came to the conclusion that the whole civil and military force would be concentrated on the "Neck" and along the coast as far as the Coal Mines, and therefore resolved that we should remain where we were for the next three days, being of opinion that by that time they would relax in their vigilance, under the impression that we had made our escape. My mates quite agreed with me, and observed that they would cheerfully submit to anything I might think proper to suggest. We then placed ourselves on a certain allowance of bread, as we could not possibly calculate the time we should have to remain on the Peninsula. I was the more firmly convinced of the necessity of this measure by entertaining the opinion that had I ever so little on my first attempt, the police might not have caught me so easily. On the night of the third day we left our hiding place, and keeping the most impassable part of the bush, came out at the head of Long Bay, when we crossed the road, and again striking into the

bush got to the other side of Signal Hill. The night was very dark, and owing to the nature of the country through which we travelled, our clothing was literally torn to shreds. We halted here, and, the whole of us being very much fatigued, were soon in the land of dreams. At the break of day the following morning, being still in possession of the seven pounds of flour, I made a damper (*i.e.*, cake) on the bag which contained our swag, and lighting a charcoal fire in a hollow tree, in a little time we had some hot bread for breakfast, together with plenty of pure water; after which we continued our journey through a part of the bush which I believe had never before been traversed, being obliged on some occasions to creep on our hands and knees for a mile at a stretch, and at the dusk of the evening we came in sight of Eagle Hawk Neck, when we could see the line literally swarming with constables and prisoners. I here enjoined my mates to preserve the strictest silence, observing that one false move might frustrate what we had already achieved, and pointed to the place we should cross. We took a circuitous route through the scrub until we arrived at a spot where we could scan the line for about a mile on either side. We lay here for the next three hours, and having made a fair division of the bread which remained, trusted that it would be the last we should ever eat on Tasman's Peninsula. On finishing our temperate meal, we started on the forlorn hope, moving as silently as possible, as the slightest noise might bring half-a-dozen constables about our ears. The most perilous part of the adventure was in crossing the road, where constables might be lying in ambush in the scrub which lined the opposite side and up to the water edge. We succeeded, however, in reaching the latter, and placing our clothes in the manner I have described in a former chapter, we followed each other silently into the water. It was then blowing fresh, and the night being very dark, I lost sight of my mates; on getting to the centre, the waves broke clean over me, at the same time carrying away my clothes, which I had fastened in a bundle on my head, and thinking it useless to try and recover it, owing to the darkness of the night, I continued my course. As I could neither hear or see my companions, the horrible idea occurred to me that they had been eaten by the sharks, a similar circumstance having previously taken place about a mile lower down the gut, I being the first who ever attempted to cross so convenient to the "Neck." I by-and-bye touched the bottom, and remained for some time standing, expecting to hear or see my mates. I had not remained more than five minutes, however, when I could distinctly hear them conversing, and apparently coming to where I stood. Jones now said to Kavanagh, "Martin's drowned;" on hearing which I sprang on to the bank, and observed that I was worth half-a-dozen people in that situation. We were obliged to indulge in a laugh when we found that we were all situated alike with regard to clothing, as my mates as well as myself had lost theirs on the passage.

CHAPTER IV.

Some love to roam on the dark sea foam,
Where the wild winds whistle free ;
But a chosen band in a mountain land—
A life in the woods for me !

The Escape through the Neck.

We now found ourselves standing at the base of a very steep and rugged hill, thickly strewn with iron stone, and covered with a dense prickly scrub, the thorns on which pierced the flesh like needles, and without boots or a particle of clothing. While advancing up the hill, about three or four hundred yards, our feet, legs, and bodies had become so fearfully lacerated that we resolved to halt until daylight, in order to find a more favourable track ; and while in our elevated position we groped about in search of some ferns to make a bed, but not being able to find any, each did the best for himself. At daybreak the following morning we had a good view of the military guard room, together with the whole line of road from the Neck to Norfolk Bay. We could also perceive parties of constables scouring the hills on the opposite side, some of whom were quite close to the position we occupied on the previous evening. We then continued to advance at a very slow pace, the rough iron stone cutting our feet at every step. Nevertheless, we could not refrain from laughing on contemplating our ludicrous position, being, as I before observed, in a perfect state of nudity. On my former excursion having noticed a hut on the road side leading from Eagle Hawk Neck to East Bay Neck, where a party of prisoners were stationed in charge of a sub-overseer named Martin Cope, who had the character of being a quiet, well-meaning man. His party was composed of men who had nearly completed their respective sentences, and therefore not likely to abscond. They were then employed in repairing the roads. I did not as yet mention this circumstance to my mates, although steering my course in the direction of the hut, but on getting in sight of the latter, I expressed my determination to take everything I could find in it that might be in any way serviceable. The hut stood in a very conspicuous position close to the road, and there was every probability that a party of soldiers or constables might at any moment make their appearance. However, our desperate circumstances not permitting us to calculate upon chances, we all three simultaneously rushed into the hut, Kavanagh having an axe in his hand which he found at the door. I shall never forget the look of horror and amazement with which we were regarded by the unfortunate man inside, who, upon seeing three naked men rushing into the hut, one of whom was brandishing an axe, resigned himself to his fate, standing transfixed, with his mouth and eyes open, appearing to be in a perfect state of bewilderment. We did not, however, give him much time for reflection. He was securely lashed to a post planted in the floor, apparently with a view of supporting the roof. Our principle care was to provide ourselves with clothing, no matter of what description, and on searching we found that each of the prisoners who occupied the hut were in possession of an extra suit of grey clothing, which we immediately appropriated. In short, we three were now equipped in new boots and a tight fitting suit of prison clothing. Having been on short commons for the last five days, we next directed our attention to the commissariat department, where we found about fifty pounds of flour, along with a good supply of bread and fresh beef, a small quantity of tea and sugar, a flint steel and

tinder box. We placed them all in a sack, and also taking a tin billy that we found outside the door, we left our new acquaintance secured to the post, being perfectly satisfied that he would soon be released.

We were now quite aware that the particulars of our last enterprise would be known throughout the country from Hobart Town to Port Arthur before the close of that day, it being the first intimation they would have of our whereabouts since leaving the latter place. We therefore concluded that the principle force would now be concentrated on East Bay Neck, and also that the part of it which remained on Tasman's Peninsula would now join in the pursuit, and taking those circumstances into consideration, we could not help feeling that the chances still were very much against us. We therefore resolved to conceal ourselves for three or four days, judging that by that time they would relax in their exertions, under the supposition that we had reached the mainland, and retracing our steps we turned our backs upon East Bay Neck, where we knew we would be hourly expected; bearing up for a station belonging to Doctor Imlay, with a view of capturing a boat which we were informed had been stationed there in charge of a constable. At night, we selected a place where we intended to remain for the next two days at least, and in a few minutes we enjoyed a very hearty supper which was a very unusual circumstance in those days. While here, we baked some bread, and made what other arrangements we could for the road, upon which we again resumed our journey, and on gaining an eminence which commanded a good view of the station, we were much disappointed on seeing a strong party in possession of the place, but whether they were soldiers or constables we could not ascertain, it being then customary with the former to dress in prison clothing when in pursuit of absconders. We were forced for the present to give up the attempt and directing our steps to a place called Blackman's Bay (a body of water which divides Forestier's Peninsula, from the mainland, and distant about five miles from East Bay Neck). We had not travelled more than a mile when I imagined that I heard a noise in front resembling the creaking of rotten sticks, and apprising my mates of the circumstance directed them to follow me, and on reaching a very thick scrub a little to our left, we halted, keeping our eyes fixed in the direction of the sound. We had not been here more than about three minutes when my old friend Mr. Evenden made his appearance with a party of five constables, apparently on their way to Mr. Imlay's station, and having passed within ten yards of us, we knew every one of them. They were little aware of the prize that had just slipped through their fingers. This was certainly a narrow escape, as had we advanced five yards further the constables would have caught sight of us. It occasioned us to keep a sharper look out ahead, and at about four o'clock we reached the Narrows, when getting on a steep bank which overlooked the latter, we saw a fire which we imagined had been lit by some parties in search of us, and in a minute or two after these suspicions were confirmed by seeing a party of six or seven constables slowly moving along the bank, in the direction of East Bay Neck. They halted several times to take observations, but we kept well under cover, although within two hundred yards of them. From where we then stood the body of water which separated us from the mainland did not appear more than one-half the width of that which we had crossed at Eagle Hawk Neck, but there happened to be a strong and rapid current running at the time. I remarked to my mates that we would reach the opposite side in five minutes when opportunity offered, we therefore retired for a short distance into the bush, and lay down to rest, being now of opinion that in any case we would reach the main land. My mates, however, did not appear to be of the same opinion, which surprised me a little. I therefore requested them to state their reasons for doubting what appeared to me so very plain and easy. Kavanagh

answered that he had a very narrow escape from drowning when crossing at the Neck, at one time giving himself up for lost, observing that it was nothing short of a miracle that he ever reached the land. Jones then remarked in a hesitating manner that if I could do it (meaning to swim across the Narrows) they would not deprive me of my liberty by their want of confidence in themselves. I replied that I certainly could do it, and that I did not see any very great difficulty for any person that could swim to reach the land on the opposite side, but if they would not make the attempt I certainly should not, adding that as I came with them I should not leave them, no matter what might be the consequence ; at the same time expressing my willingness to be guided by whatever they might suggest. It was then arranged that we should proceed along the bank as far as it might be safe, in the direction of East Bay Neck, and in all probability we might meet with a more favourable place to get across. After nightfall we carried our plan into execution, and in attempting to cross at a place where the water was divided into three channels, the tide being out, we found that we could neither wade nor swim, as the water was too shallow and the sand or mud could not be bottomed. We made three attempts that night, each proving unsuccessful, and at daybreak the next morning we could see the soldiers on sentry at East Bay Neck. I made a few observations, and suggesting the propriety of getting under cover until night, I informed my mates that we should cross the Neck that night without wetting the soles of our boots. We were sadly in want of water all this day, not daring to go in quest of any. At about eleven o'clock that night we made for the Neck, and on getting to a cultivated paddock, the situation of which I had marked that morning, I told my mates to take off their boots, myself doing the same. We then crept silently on our hands and knees ; I being a little in advance until we arrived at a log fence, on looking through which I observed a soldier standing on sentry about eight yards in front of us on the opposite side. At this time I was joined by my mates, and silently directing their attention to the place where the soldier was standing, I could see that he changed his position, turning his face full upon the spot where we lay in a state of breathless suspense for about five minutes, when seeing the sentry move off in a contrary direction, I whispered to my mates to return in the same manner and the whole three of us creeping back until we got about one hundred yards. We then held a consultation, at the conclusion of which, it was resolved that we should make another attempt a little higher up, and close to a farm-house, which was situated on the centre of the neck. We advanced in the same manner as before until we came to the garden fence, which was distant about fifty yards from the dwelling house. We could see no person at the time, and having crossed the railroad we were attacked by a small terrier dog, and at the same time we could observe a party of soldiers about fifty yards ahead of us. There was nothing to be done but to retreat as quickly as possible, and clearing the fence at a bound, we took up our old position, being then of opinion that the soldiers must certainly have heard us. Jones here remarked that we would never get across, in which opinion he was supported by Kavanagh, but I thought otherwise, and observed that it was highly amusing to hear men who had previously seen a little hardship give up so readily. I was anything but amused, however, to find that my companions, who had such a reputation for courage, should behave in the manner they did, and the thing was so wholly unexpected, that for a moment, I lost temper. I, however, requested them to follow me, assuring them at the same time that we would cross the Neck in the course of the next ten minutes. We then started off, making straight for the line on the Hobart Town side, and on gaining a thicket, which grew to the height of five or six feet, we espied a sentry box a little to our left, between us and the water. I paused for a minute or two until I was satisfied that my mates had seen it,

and in a moment after two men appeared on the other side of the box, and entered into conversation. They did not remain long, however, when, turning their backs upon us, they advanced down to the water side. This, I thought, was the time or never, and giving the sentries time to get a little distance from the box, I turned to my mates and exclaimed, "Now for it," when we all three crossed the line, and having jumped a fence, entered a paddock of wheat, through which we crept on our hands and knees, until we considered ourselves safe, and then we got upon our feet, when we could see the lights in the military barracks at a safe and comfortable distance the right side of us. We then pushed on for about a quarter of a mile until we came to a dense bush, into which I plunged without a moment's hesitation, and addressing my mates observed that now they had their liberty. Jones answered that if he had a crown of gold he would give it to me. I thanked him, and replied that I would much rather have some of it in my pocket at the present time, adding that although we escaped the sharks by land and water, yet it was still necessary to keep a sharp look out. We therefore advanced along the bay for the next three hours, where we had a fine view of the fires that were still burning on Forestier's Peninsula, and being tired and weary we halted to have a rest, refreshment being out of the question. The sun was high in the horizon before any of us awoke.

Kavanagh here put the question as to what was to be done, when Jones answered without a moment's deliberation, that we should take up arms and stand no repairs. To this Kavanagh agreed, and, of course, I consented also. In order to carry our plans into effect, we struck off in the direction of Captain Bailey's, which we passed at the dusk of the evening, at the same time reconnoitring the premises, where we found that there were two constables stationed for the protection of the house, being of opinion that in case we should escape, we might pay them a visit. Under these circumstances, we respectfully declined and travelling on in the direction of Pitt-water, we arrived at a bush hut, and being very hungry we resolved to test the hospitality of the inmates. Kavanagh therefore made his ingress down the chimney, and in a moment after we could hear him holding forth in a very alarming manner, at the same time opening the door for Jones and me to enter. We saw at a glance that the people were not in very affluent circumstances, and telling them not to be alarmed, we merely took a little bread, some tea and sugar, and a billy, and forbidding them to leave the house on pain of our displeasure, we travelled on for about four miles further, when we called a halt, and after making some tea disposed of ourselves for the night. After breakfast the following morning we continued our route, and by-and-bye found ourselves in a populous district. Being this time, as we subsequently learned, at Sorell Creek, where we concealed ourselves, with a very comfortable farm-house in view, which we intended to honour with a friendly visit under the shades of night, in order to assure ourselves as to the state of their wardrobe, armoury, and victualling department, together with other minor matters connected with their welfare, and lying down in the pleasing anticipation of carrying our benevolent intentions into effect. At twelve o'clock we sallied forth, and on knocking at the door, a voice inside demanded to know who we were, to which I immediately answered "Police," and this talisman reply caused the door to be instantly opened, when Kavanagh immediately secured the victim of our deceit, at the same time calling loudly upon all in the house to surrender upon pain of being blown to atoms. Jones and I passed on through a passage, and on entering a room opening on the latter, we found a married couple in bed, both of whom we instantly secured. At this time Kavanagh had possession of the only gun in the house, which he loaded on finding some powder and balls. In our researches we found a dish of cherries among other things, which we enjoyed very much. The three of us, however, contrived to effect a slight change in our wardrobe; I becoming the possessor of

a very fashionable bell-topper hat, and finding no funds in the treasury, we had to be content with a swag containing a variety of eatables, together with sundry packages of tea, sugar, and coffee. We then, after requesting that they would not put themselves to any inconvenience by disturbing the police at such an unseasonable hour, retired to a fitting place in order to discuss the plan of our future proceedings. The following morning we all three cut a rather ludicrous figure. I was still dressed in prison clothing, surmounted by the bell topper. Kavanagh sported a very stylish coat over a pair of parti-coloured trowsers. Jones contrived to fit himself also with a pair of trowsers and a new pair of boots. Taking matters as they stood, we considered that our circumstances were far more cheering than when standing on Forestier's Peninsula after crossing the Neck, the thoughts of which never failed to elicit a laugh. However, we spent this day pleasantly enough, never for a moment expending a thought upon our perilous situation, being, after our late escapades, committed beyond redemption, as the fact of our taking up arms involved the sentence of death, or rather execution on the scaffold was the certain doom of all who were guilty of this offence. We were all, however, in good spirits, and although being perfectly aware of the fate that awaited us, and that our lives now were virtually forfeited, we nevertheless resolved that in our future peregrinations we would never resort to unnecessary violence, or offer insult to the other sex; we also firmly resolved to fight for our liberty, all being of opinion that it was better to get shot than to be taken alive, and on coming to these conclusions we talked upon different subjects, each recounting a little of his previous history, as it will be recollected we were in a measure perfect strangers to each other. In describing some of my adventures I observed that I had a slight advantage over either of them, if it was ever our misfortune to be captured, having the honour of being acquainted with the colonial Jack Ketch while in the Jerusalem chain gang, on which occasion that high functionary made me a promise that if ever I had the luck to be placed under his especial care and management he would favour me beyond my deserts by giving me an extra foot of rope, in order to facilitate my passage to a warmer climate, and also save me from being jostled by my fellow-passengers, as it was not unusual for him to send eight or nine unfortunate wretches out of the world at once, which circumstance occasioned one of our Hobart Town divines to remark that "nine could hang comfortably, but that in his opinion ten would be rather crowded." It being now drawing near the dinner hour, Jones displayed his ability as a cook, and by-and-bye we sat down to a very good dinner, which to us, as Sam Weller observed at the trial of *Bardwell v. Pickwick*, "was a most unusual circumstance in those days." Kavanagh not wishing to monopolise the gun, made an offer of it to Jones or I, but we both declined to accept it, observing that we intended to provide ourselves with similar advantages on the first opportunity. We beguiled the remaining part of the day in thoughtless conversation, and at night selected the softest spot of earth for our couch.

The following morning we continued our course in a westerly direction, until coming to a shepherd's hut about five miles from Prosser's Plains, and remarking to my mates that the shepherds in this colony were generally armed, and that in consequence we might be fortunate enough to get what we wanted here. The three of us therefore entered the hut, where we found a lone woman who appeared to be dreadfully frightened; but on assuring her that she had nothing to fear from us, and that all we required was arms, which in any case we were determined to have, she appeared to be a little more tranquil, and by-and-bye proffered to make us some tea; but this we declined, at the same time telling her that had we known that she was alone in the hut we would not have intruded upon her. We then appropriated a single barrel gun and a flask of powder, with some duck shot, and again expressing our regrets at causing her any alarm, we decamped, not attempting to touch anything else

on the premises. Having now two guns in possession, which I left to Kavanagh and Jones, as they had been in that line in Sydney, I imagined that they would be cleverer at the business than myself, and trusting to the Fates for the future, we continued our route with a little more confidence, being now in a better position to defend ourselves in case we were attacked. We next arrived at Mr. Blinkworth's, about five miles from Jerusalem. It had formerly been a public-house, when I happened to be in this part of the country. At the dusk of the evening we all three made our appearance on the threshold, the inmates being quite ignorant of our vicinity. We found three men and one woman in the house, and the former we instantly secured. I quickly made myself master of a good double-barrelled gun, together with a good supply of powder and ball; and not being able to find any more arms, we turned our attention to the wants and requirements of the inner man. On providing ourselves with nearly everything we wanted, with the exception of the paramount essential, namely, money, we were all three pretty well armed, and in possession of a good stock of provisions, which prevented the necessity of harrassing ourselves by long and fatiguing marches. We therefore bivouacked within a short distance of the scene of our last adventure, and the following morning we pursued our journey, resolving that our next contributions should be levied at Bagdad, which we at length reached without any fresh adventures. At the dusk of the evening we called at a public-house, which was situated on the roadside, near the Bagdad mill. We all three entered the house together; the landlady, who happened to be standing behind the bar, was very much alarmed at seeing us, because, as the reader will remember, we yet had on some articles of prison-clothing. I requested her to leave the room, in company with three men whom we found on the premises, and while assuring them that no violence was intended, Kavanagh and Jones were searching the house. One of the men whom I had in custody, appeared to be very restless and fidgety, and keeping my eye upon him, and finding that he shifted his position in order to get near a door leading to the rear of the premises, I presented my piece and ordered him to immediately join the rest of his party—at the same time giving a caution that should I see another move, I would discharge the contents of both barrels at him, if one failed to answer. Jones and Kavanagh had now entered the room, and heard the threat; and as it struck me that there was more danger to be apprehended from the outside—the house being situated close to the main road—I gave up my charge to Jones, and repaired to the front of the premises to reconnoitre. I had scarcely been outside a minute, when Kavanagh informed me that my fidgety friend had given Jones the slip, enquiring at the same time what I thought best to be done, and as there could be no hesitation in the matter, I advised a speedy retreat. We being then in a populous neighbourhood, I did not think it would be at all prudent to get into collision with the inhabitants, many of whom might have lost their lives. We appropriated what we could on the occasion, among other things a complete suit of clothes for each of us, but through the laxity of Jones we missed the five hundred pounds, which we subsequently heard was in the house at the time. This acted as a sort of guide in our future proceedings, clearly pointing out the necessity of securing every person we found on the premises on all similar occasions. After making our exit from the house, Jones appeared to be very much chapfallen, Kavanagh upbraiding him with a want of vigilance, observing that it should have been quite sufficient for him on hearing me threaten the same person a moment before. The occurrence, however, cast a gloom of doubt over our party for the rest of the evening, but on coming to a fitting place, we divested ourselves of our Port Arthur uniform, and put up for the night at a respectable distance from the scene of our late mistake.

The following morning, we moved on in the direction of Broadmarsh,

where on visiting the house of Mr. Panton, we could see the family in the sitting-room, upon which I put the muzzle of my gun through the window, and ordered all in the room to be silent, and not to move an inch at their peril. Jones and Kavanagh entered the house, where they learned that the working hands, six in number, were sleeping in a barn adjoining, to which myself and Kavanagh instantly repaired, and returned with them to the house. On this occasion, I took charge of the company myself, resolving if possible to keep them together. Mrs. Panton, poor lady, appeared to be completely paralysed with fear; I therefore tried every possible method to assure her, that she and every person else on the premises were perfectly safe, provided they remained quiet, and in any case that she had nothing to fear, but I cautioned the men not to move or to make any disturbance. Jones ransacked the house, and when satisfied that his business in this respect was concluded, we gladly left the premises, knowing the terror we had occasioned our hostess, who appeared to be a very lady-like person. We were aware that our affair at Bagdad would have reached the authorities, and that in the course of an hour or two they would hear of our attack upon Mr. Pantou's, which would afford them some clue to our line of route. I suggested the propriety of breaking fresh ground; and on getting some distance from the scene of action, we met a man, whom we at once took into custody, and from whom we learned that there was a probation station within a short distance of Mr. Pantou's, and that the overseer was a regular nipper. He remarked that he was then in the service of Mr. Panton, but had been out to see his sweetheart. Under these circumstances we set him at liberty, strictly enjoining him, on pain of our displeasure, to carry the following message to the overseer of the probation station, namely: "From Cash, Kavanagh, and Jones,—That if he, the overseer, carried out severe measures, or wantonly tyrannised over the unfortunate men in his charge, we would pay him a visit, and he might judge the consequences." We then dismissed our Adouis, and returned to the bush, where we spent the best part of the night in arranging our future plans of action. Not wishing to be too exacting with Her Majesty's subjects, particularly as our exchequer was rather in a flourishing condition, we remained in camp for a day or two; at the termination of which, we resolved to visit a public-house known as the Woolpack Inn, distant about ten miles from New Norfolk, and situated on the roadside leading from the latter place to Hamilton. We accordingly shaped our course in that direction, and on the third day when getting close to our destination, we accidentally met a shepherd, in the service of Mr. John Fenton, whom we detained in custody for the next three or four hours, and to whom we stated our intention of visiting the Woolpack Inn, as it would give us an opportunity of testing the quality of our arms, being perfectly aware that a party of constables were stationed there, with a view of protecting the premises. Our prisoner here assured us that we would be very likely to encounter an armed party at the Inn, observing that it would not be at all prudent for us to make the attempt. This information did not in any way deter us, and after giving our prisoner some refreshment, we set him at liberty, and shortly after arrived within sight of our destination.

CHAPTER V.

Where yon rock the plain o'er shadows,
Close beneath its foot retired,
Fainting lay the bleeding hero,
And without a groan expired.

The Engagement at the Woolpack Inn.

The reader may feel surprised that we should persist in our determination to attack this place after what we had just heard from the shepherd ; but it was owing to this circumstance alone that we did so, being perfectly aware that he would acquaint all the neighbourhood with our intentions. We therefore considered ourselves pledged to the enterprise, no matter what the consequence might be ; and having perfect confidence in each other, we did not dread an encounter with an equal number of the police or military. However, at about eight o'clock at night we divested ourselves of all unnecessary encumbrances, planting our swag about a quarter of a mile from the scene of our intended action. We took the nearest road to the house, and bailed up all who we found inside, viz., Mrs. Stoddart and her two sons, both of whom were grown up young men, together with three others, who happened to be drinking there at the time. Mrs. Stoddart, like all women, evincing the utmost alarm. I assured her that any person who did not offer resistance would be perfectly safe. One of her sons here sarcastically exclaimed, " Oh mother, never mind, it will be all right by-and-bye." Thinking this observation conveyed a double meaning, which to his mother implied that his party of five constables whom they knew were stationed outside, would be shortly in upon us, I felt rather piqued at it, and asked him sharply if he were master of the premises, he replied in a very conciliating tone that his father was absent. Jones by this time had possession of the bar, but there was very little danger of his abusing his prerogative, as he was strictly temperate. Kavanagh was standing at the bush road door leading into the bar, while I took up a position which enabled me to keep my eye upon my prisoners, and also to see what was going on outside ; observing a sinister smile on the face of Mr. Stoddart, junior, the idea at once flashed upon me that the constables were not very far off, and addressing him at the same time, I remarked that he appeared to be very confident, but that it was not on his own prowess that he placed any reliance, and that he had better keep his sneers to himself until he found himself out of danger, observing that the body of police whom he had in plant might not be able to protect themselves. I next enquired of Mrs. Stoddart if the hut, which I saw about fifty yards in front of the premises, belonged to her, or who resided there. She hesitatingly replied, that " she had no men there," on which I directed Jones and Kavanagh to go over at once and secure any person they might find in the hut. I had no sooner given the order, however, when glancing in that direction, I perceived some people moving up to the house, and calling upon my mates to prepare, I immediately advanced to the front, where I was challenged and told to stand. I obeyed the order, until I could plainly discern the person who gave it, and who still continued to advance, accompanied by four or five others, when pointing my gun I fired in self-defence, and a moment after one of the party lay stretched on the ground. At this time, I was between two fires, as my mates, who happened to be about five or six paces in rear, had discharged their pieces ; the constables in front keeping up a rambling

discharge, and while reloading my piece I turned to address a few words to my mates, but not receiving an answer, I concluded they had returned to the house, and moving up to the verandah, I found they were not inside. The smoke having cleared away, the thought now occurred to me that they might be either dead or disabled, and hastily retracing my steps to the scene of action, I could not find the slightest trace of them. I once more returned to the house, where I found the inmates couched in different corners of the room, apparently very much intent on their own safety, Mr. Stoddart, junior, particularly, who was concealed behind an angle of the chimney, and reminding him of his seeming bravery some short time previous, I observed that I would shoot the first person who resisted. They all appeared much more terrified on this occasion than on our first appearance seeing, perhaps, that I was not in a temper to be played with. I again returned to the front of the house, and remained for about five minutes, with my gun levelled, expecting every moment to see one or both of my mates, but they not making their appearance, I instantly returned to the bar, where I appropriated a keg containing about three gallons of brandy, and returned to the spot where we had planted our knapsacks. Before reaching this, I heard a noise as of some person whispering, and immediately challenged, and was answered directly by my mates, but as prudence is the better part of valour, I ordered them up one at a time. Kavanagh having first made his appearance, I enquired if he was wounded, or if Jones had returned unhurt, and having been answered satisfactorily, I placed the keg at their disposal. They excused themselves for leaving me, by declaring that had they known I was determined to stand, they should have returned after the first fire, particularly when there was a chance of doing so. I knew they were right, and on Kavanagh remarking that in our first engagement with the police I showed off to more advantage than either he or Jones, I disclaimed any merit in the transaction, as it struck me that men placed in our position should always get away if possible. I therefore gave them the laurels on this occasion, having acted the wiser part, at the same time reminding them of the keg of brandy, which I brought in anticipation of their being wounded. We at once paid our addresses to the keg, it being already provided with a tap, which was a great advantage. After each drinking a glass, we held a council of war as to our next campaign, concluding that had anything induced us before to think that our lives were not forfeited, we had very little occasion to harbour that opinion after the late event, I being fearful that I had either killed or wounded one of the constables, independently of those who might be killed or wounded by the fire of my mates. We made ourselves as comfortable as we could under the circumstances, with the hope of better luck next time, judging it advisable nevertheless to get clear of the locality with the utmost despatch. Kavanagh therefore took charge of the provender, and we retraced our steps in the direction of the Dromedary. I may here observe that neither my mates nor I were ever under the influence of liquor while under arms in the bush, knowing well that nothing could tend more towards our destruction, as it would leave us completely at the mercy of our enemies. We were on many occasions in full and undisputed possession of public houses but we always carefully avoided giving way to intemperance. Kavanagh observed while on our journey that he believed I had been wounded in the late encounter, having imagined that he had seen me fall, but in this he was mistaken, as well as the others who sent the particulars of the whole affair to the public press. It was stated in the newspapers that I was wounded, the constables having seen me fall. If such had been the case, why did they not come and take me? This I positively deny, and assure my readers that I kept upon my feet during the whole transaction. On travelling all night, we were joined the next morning by a shepherd, who was perfectly acquainted with the particulars of our last engagement, and while taking some refreshment he informed

us that the constable who headed the party had been wounded by the first shot, and was now lying in a very precarious state ; and also that another of them, received a ball in the fleshy part of the thigh, but that none were killed, a circumstance which gave us great relief ; he also stated that he arrived at the Woolpack Inn half-an-hour after I had left, and that Mrs. Stoddart and the family were of opinion that my two mates had been shot or wounded, as they only saw me return. He drank freely of the brandy, and being quite certain that he would not be able to give information respecting us for the next few hours, we left him alone in his glory, and pursuing our journey for the next three days, arrived at Mr. Cawthorn's, at the foot of the Dromedary, and finding that our larder required replenishing, we resolved to apply to that gentleman for a little assistance, it being about three o'clock in the afternoon. We took up a position in proximity to the house in order to make observations, and in a few minutes we saw a party of seven or eight constables making their exit from the premises, and whether they saw us or not I cannot attempt to say, but as they still continued their journey we did not interfere with them. In any case, they were no more than one hundred yards from the premises when we took possession.

Kavanagh and Jones entered the house, while I took up a position at the door, in order to watch the proceedings. They had little difficulty in securing the inmates, all seeming perfectly at their ease in respect to their personal safety, our reputation at this time being well established. We gave them as little trouble as possible, merely taking what was absolutely necessary for present contingencies, at the same time observing that we were resolved on leading a free and easy life as a recompense for the restraints which the laws had hitherto imposed upon us, and notwithstanding the cruelties which had been practised on us while at Port Arthur, our actions should be always guided by reason and discretion, wishing it to be clearly understood that we never waged war with the defenceless, although at all times ready to fight for our liberty. We then took our leave, and when again on the road, I informed my mates that I should have the pleasure of introducing them to an old acquaintance of mine, who lived at the Dromedary, named Mrs. B——n, and that in all probability they might shortly, while there, see Mrs. Cash. Jones immediately exhibited a silk dress, which he had taken from Mr. Cawthorn's, and expressed his intention to present it to my companion, but I told him that I would much rather he would give it as a present to Mrs. B——n. On the night following, we all three repaired to the house, where we were most hospitably received. This family lived at a place called Cobb's Hill, on the Jordan side ; they were very poor, and rented a small piece of land, which barely maintained them, having neither horses, cows, nor pigs, and were in all respects in the most abject poverty. They were all, both young and old, natives of the colony.

We found Mr. and Mrs. B——n at home, together with other members of the family ; and after partaking of some refreshments, we spent a very pleasant evening, chatting over times past. Early next morning Mrs. B——n was on her way to town for a fresh supply of necessaries, and also bearing instructions for my companion to return with Mrs. B——n, but as I did not know the address of the latter, I told Mrs. B——n to call at the residence of Mr. M——t, opposite the Angel Inn, in Argyle-street, where she would learn all the particulars, and being of opinion that the police were on the watch, we did not consider it prudent to await their return. We therefore concealed ourselves about a mile from the house, where we remained until the afternoon, returning by a different route, and entered the house, quite prepared to meet either a friend or an enemy, as under our circumstances we had always to observe the utmost caution. But on this occasion it was quite unnecessary, as we found no persons inside but those we expected. I was much rejoiced at meeting my companion, from whom I had been so long separated, and every person

in the house seemed to enjoy themselves to the fullest extent, forgetting for the time our desperate circumstances in the pleasure of each other's society ; and having now refreshed ourselves we returned to our fortress at Dromedary Park, which we had previously fitted up for the occasion, rendering it as comfortable as our means would permit, and which I shall here take the liberty to describe. It was situated at the top of the Dromedary, and consisted of three logs in the shape of a triangle, from the inside of which it would be no easy matter to dislodge us, and we also had a good view of the surrounding country, and were therefore not likely to be surprised in our airy tenement. On the inside we placed branches of young trees, ferns, &c., and when taken altogether it had rather a comfortable appearance, although minus a roof, but as in all other respects we were pretty well provided for, we whistled care down the wind, and on retiring for the night, my mates took up their position on the outside of the fortress, in order to keep a look out for the enemy. Here my companion resolved to share my exile ; but to this I would not consent. She then informed me that some two hours after Mrs. B——n had left, and when making preparations to join me the same evening she observed two constables standing on the opposite side of the bush-road, who were evidently watching her movements. Her suspicions being aroused, she kept them in view, and was shortly satisfied that there was reason for alarm, at the same time not being able to account for it in any other way, than by the message she received from Mrs. B——n, although not suspecting the latter of treachery. On seeing that the police were on her track, she resolved to postpone her visit, at least for the present ; but on learning that a coach started early in the morning for Launceston, she took her measures accordingly, and about an hour previous to the coach leaving, she travelled on before it, being still aware that she was under police surveillance, but on being overtaken by the coach she was at once picked up, and her pursuers were left behind, quite ignorant of her destination. We remained in quiet retirement for the next three days, enjoying the beauties of nature unadorned by art, until our larder began to show symptoms of a decline, on which we resolved to take the field, and levy contributions. We therefore left my companion in charge of the fortress, with instructions to hoist a white flag on the battlement in case the enemy made their appearance, and directing our steps to the Back River, selected a very large establishment occupied by Mr. Shone, as the scene of our next operations. On getting within half a mile of the house, we espied four men, with a cart, in a field adjoining the road ; and in order to put a stop to evil news, which they say fly fast, we at once took them into custody, and when the tying process was duly and safely performed, we marched them in front to our destination. While on the road, Mr. J. Bradshaw, who was one of our prisoners, conversed with another of his party in a whisper, on which I told him that if he repeated this, I would administer a caution which would not be easily forgotten. I had no occasion to speak to him a second time, as he appeared to be quite beside himself with terror. On our party reaching the house, I knocked for admittance, and in a moment after I heard the voice of a female demanding to know who was there (it being now after nightfall). I ordered my friend Mr. Bradshaw to answer the female, and as she was well acquainted with that gentleman, the door was instantly opened. We therefore conducted our prisoners into an inner room, where we found Mr. and Mrs. Shone at tea, in company with another gentleman, all of whom, with the exception of Mrs. Shone, we ordered to sit upon the floor. Leaving Kavanagh in charge, Jones and I repaired to the hut, where we secured six working hands, and taking them back to the house we made them join company with the remainder. Jones now commenced operations, while I moved round to the front of the premises, where, on hearing the sound of a vehicle approaching, I told my mates to hold themselves in readiness. The cart came up in a moment or two after, and a young lady jumped

down, and held her hand out to me, presuming I was one of her friends, but I respectfully declined the honour, telling her at the same time that I would feel much obliged if she would walk into the house, ordering her companions to follow her. There were two young ladies and three gentlemen in the spring cart, all of whom I escorted safely to the room, where Kavanagh remained in charge, Jones being busy in his own department—it being understood that the professional process exclusively belonged to him. I still kept my position on the outside, occasionally paying a flying visit to the room, in which our prisoners were in custody, in order to see how business was progressing. By-and-bye I secured another of the working hands, who it appears had been out on business, and who immediately joined company with the rest, where Jones was now engaged in divesting the aristocracy of their superfluous appendages in the shape of watches, rings, purses, &c. I was obliged to superintend the business, in consequence of the great number of prisoners we had in charge, as upon all such occasions we were obliged to look after Jones' piece; he borrowed a valuable gold watch from Mr. McKay, a silver watch from Mr. Shone, together with rings, purses, &c., also a miniature portrait of a young lady from Mr. Ferguson, which I told him to return to that gentleman, as he appeared to set some value upon it, remarking that although I was fond of looking at a pretty face, yet I did not wish to indulge this weakness at the expense of another; he expressed his regret at seeing such men so unfortunately situated, and observed that he wished he had the power to take us out of the colony. The young ladies, as well as all others in the house, seemed quite at their ease, well knowing that they would not be insulted. On the conclusion of our business we politely took our leave, and here I must beg to offer a few remarks respecting this particular case.

On referring to the extracts from the *Advertiser* which are annexed to this work, my readers will perceive that Kavanagh had been mistaken for me on that occasion, as he remained in charge of the inmates, while Jones was ransacking the house, and in fact during the whole affair, with the exception of a few minutes that I stood by while he was divesting the gentlemen of their personal incumbrances. It will be, therefore, seen that Kavanagh was the person who kept up the conversation, during which he informed the company that he was transported from Sydney for shooting Mr. Thompson and also that he had been wounded at the Woolpack Inn. All this was attributed to me, but the only words I spoke while in the house were addressed to Jones, when giving him instructions to return the portrait to Mr. Ferguson. I was also described as wearing a drab coat buttoned up, and a straw hat, but on the night in question I was dressed in a blue jacket and trowsers, and I now make these remarks in order to exonerate myself from any appearance of bombast on this and all similar occasions.

We were very heavily laden on our return to the fortress, where I found my companion seemingly in great anxiety respecting our safety. Jones displayed our newly-acquired property, comprising a variety of wearing apparel, among which were numbers of silk and satin dresses, shawls, handkerchiefs, &c., which it appeared belonged to Mrs. Shone, and all of which he gave to my companion. We afterwards sat down, and discussed several bottles of excellent port wine, spending a pleasant night in our very exalted position, where we remained for the next three days, enjoying the fruits of our great transgressions. Here we learned that a party of Her Majesty's 51st King's Own Light Infantry, under the command of Major Ainsworth, were out in pursuit of us, and that the latter had taken up his residence at Mr. G——n's. We did ourselves the honour of forwarding that gentleman a card, which afterwards appeared in the columns of the *Review*, as the reader will see in the latter part of this work. On the third day after the affair at Mr. Shone's, we could see several parties of police and military scouring the country in search of us, taking all directions but the

right one. We therefore decided on remaining passive for some time, holding ourselves in readiness to defend the fortress as well as we were able, should our enemies attack it. The safety of my companion being my first consideration, I resolved therefore that she should return to town immediately, and we accompanied her until coming in sight of the road that leads to the Falls from New Norfolk.

We then returned to Dromedary Park, where we remained until the next morning, when Jones proposed that we should pay a visit to Mrs. B——n, and while on the road we met a gentleman named Cook, whom we lightened of a watch and a double-barrelled gun, which Jones took possession of. We then set him at liberty and continued our journey. I must here again direct my readers' attention to the extracts from the *Advertiser*, which state that Kavanagh told Mr. Cook that I received a flesh wound in our engagement with the constables at the Woolpack. No such observation was made, at least in my hearing; neither had any threats been held out against Captain Forster at Brighton, or any remark made that we had an abundance of arms and provisions concealed in the neighbourhood, all of which was a gross fabrication. Mr. Cook, who propagated these reports, happened to be out with his "Joe Manton," as he called his gun, on a shooting excursion when we fell in with him, and I believe at that time he occupied a farm in the vicinity of Bridgewater. On reaching Mrs. B——n's we had another carouse, which we kept up for the whole of the night and next day. There was but one house in that locality with the exception of Mrs. B——n's, and that stood at a distance of a quarter of a mile from the former, on the opposite side of the valley. A man named Mundy occupied it, and I am certain that he must have been aware of our proceedings, as he could not fail to hear the sound of the fiddle, as we had secured the services of a musician from Hobart Town. This Mr. Mundy was afterwards suspected of giving us accommodation, but in this he was wronged, as neither I nor any of my mates had ever entered his house, although up to this hour I am quite convinced that he was aware that Cash and his mates were the visitors at Mrs. B——n's, and I make these remarks in order to show that, notwithstanding the large reward offered for our apprehension, this poor but honest man would not stoop to the money.

We left our friends' domicile at eight o'clock in the morning with a view of seeking fresh adventures, and when on the road I could not forbear complimenting my friend Jones upon the wonderful progress he was making in the good graces of Mrs. B——n, who, on our last visit, contrived to institute a relationship between herself and my friend Kavanagh, inferring from what she had heard of his history that he must be her uncle. This was certainly bringing affairs to a favourable issue, particularly as the former appeared to be proud of the relationship. Jones felt flattered by my remarks, and it appeared to me that if they did not come to a good understanding it would not be the lady's fault. On reaching Mr. Hodgkinson's establishment, we quickly paid our devoirs, having the happiness of finding the master at home in company with his wife and daughter, the latter a very pretty young woman about eighteen years of age. Before searching the premises we were reluctantly obliged to secure the old gentleman, but only honour forbade us to do so. There was certainly more necessity to tie the old lady, who flew upon us like an enraged tigress when defending her young, although there was no occasion. There was a small flower garden in front of the house, surrounded by a paling fence, with a small wicket, through which the old lady endeavoured to pass several times, and I was ultimately obliged to resort to very strong language, in order to keep her from alarming the neighbourhood. At the request of the daughter, we set the old gentleman at liberty, but still the old lady continued to wage war upon my mates and myself, evincing a most determined spirit. She appeared to have been a very masculine person when in the hey-day of youth, and

from what I could see would be none the worse in appearance by the occasional use of a razor. She remarked that I was some poor woman's hard rearing, and in a moment after offered up an earnest prayer that my career would be shortly terminated. I continued, however, to prevent her from doing harm, while my mates were making their arrangements, and on leaving the premises she followed us outside, screaming at the top of her voice, but as we could not permit her to follow us any longer, I gave her to understand that if she did not return immediately to the house I would not be answerable for the consequences. However, she continued to revile us until we were clear out of sight of the farm.

We now resolved that we would give the district of Hamilton an opportunity of contributing towards our support, and while shaping our course in that direction, we perceived a party of probationers, who appeared to be in pursuit of us, and were armed with guns and any other weapons they could lay hold of. We diverged from the road in order to give them the slip, and being all of us very heavily laden, we shortly after encamped for the night. In their researches they came within a short distance of where we lay concealed, and I was very much afraid that we would be obliged to shoot some of them, but fortunately they did not come upon us, having taken an opposite direction. The following morning we started pretty early, keeping the most unfrequented part of the bush, until we arrived at Dunrobin, where we resolved upon attacking the residence of Mr. Charles Kerr. On the morning of our arrival we secured two of his shepherds, who gave us the necessary information respecting their master's premises, the number of hands in his employ, together with a similar description of a few others residing in the same neighbourhood. At the dusk of the evening, we all, being five in number, proceeded to the house, where I saw a young lady with whom I became acquainted in after life, and shall have again to introduce to the notice of the reader in the latter part of my memoirs. Immediately on seeing us she retreated to the house, exclaiming, "Here's the bushrangers!" and then fainted. I left Kavanagh in charge of the men in the kitchen, and returned to the drawing room, where I found Mrs. Kerr in company with the young lady, who appeared to be quite recovered. I entreated them not to be alarmed, as they should not be insulted, and after securing the cook and the two shepherds, I placed them in charge of Jones, requesting Mrs. Kerr, at the same time, to point out the men's hut, which she did. Kavanagh and I at once went to the hut, where we found Mr. Kerr, with three working hands. Kavanagh ordered one of them to tie the other two, but not liking the manner in which he performed his work, he tied them himself. Mr. Kerr, who was a large powerful man, refused to submit to this process, upon which Kavanagh laid hold of his gun, when seeing he had no alternative, Mr. Kerr offered no resistance. We then marched them before us up to the house, before entering which, Mr. Kerr requested permission to speak to the ladies. I assured him that we should place him in their company, where he would remain during our stay on the premises, observing that we never interfered with women or children. When we had them all safely secured in a room we untied Mr. Kerr, at his own request, ordering him at the same time to sit down, and having procured writing materials, Jones wrote the following letter to his Excellency the Governor:—

Messrs. Cash and Co. beg to notify to His Excellency Sir John Franklin and his satellites that a very respectable person named Mrs. Cash is now falsely imprisoned in Hobart Town, and if the said Mrs. Cash is not released forthwith, and properly remunerated, we will in the first instance visit Government House, and beginning with Sir John administer a wholesome lesson in the shape of a sound flogging; after which we will pay the same currency to all his followers.

Given under our hands, this day, at the residence of Mr. Charles Kerr, at Dunrobin.

His Excellency the Governor.

CASH,
KAVANAGH,
JONES.

Jones also addressed another letter to Mr. Shone, at the Back River, warning him not to prosecute Mrs. Cash at his peril, as we were given to understand that she was apprehended on arriving in town, with some of the articles which we had given her, still in her possession. Jones having read these letters in the presence of all hands, the contents of which elicited a smile from the ladies, next proceeded to business, in which he displayed more ability than in his latter capacity of correspondent, and having collected among other valuables a quantity of plate, I told him to leave the latter behind. Mr. Kerr regretted that we could not arrange matters with the Government, and give up our present pursuits, and stated his willingness to go to Sir John, and sue for terms, but we had only had to remind him of the contents of the letter we were about to send to Sir John, and that put an end to the controversy. Our exactions were not heavy in this house, owing to the good feeling evinced by the family, and we took our leave under the impression that there were few present, even those whom we had stripped of their property, who would at all rejoice in our downfall. On taking our departure, we forded the river that night, and encamped on the opposite side, where we remained for the next three days, until getting tired of an idle life, we once more took the field in search of fresh adventures, the first of which took place at Mr. Triffitt's at the Ouse River. His establishment having rather an imposing appearance, suggested the idea of laying him under contribution, and resorting to our usual practice of reconnoitring for a few minutes, we summoned the garrison which soon capitulated. We then directed our attention to the care of the working hands, whom we placed in better company, viz., that of two pretty young ladies, who together with their brother, constituted the family. We placed the working hands on the opposite side of the room to the aristocracy, it being our usual custom, and by-and-bye I was of opinion that our fame had gone before us into this locality, as they did not evince the slightest apprehension with regard to their personal safety, which gratified me very much. The old gentleman offered up a prayer for our conversion, and while doing so Jones stripped him of his watch. We found a plentiful supply of everything needful, together with a considerable amount in specie. When all was in readiness for transport, we took leave of this very interesting family, and as the district was now swarming with constables and all others who could be pressed into the service, in order to capture us, we judged it prudent to remain in abeyance for a week or so, not wishing to run our puzzled and distracted pursuers completely off their legs, and acting upon this humane consideration, we sought solitude, which it appears had no charms for Robinson Crusoe, but under our circumstances was very desirable, and having a slight taste for the romantic, as well as a thorough knowledge of the bush, I selected the most inaccessible, as well as the most picturesque position which could be found in that part of the country. On completing the necessary arrangements, my friend Jones performed the duties of cook and waiter combined, which, by-the-bye, he could manage very cleverly. At the conclusion of our repast we entertained each other with yarns and a song or two, enjoying our siesta, or otherwise just as inclination directed. While luxuriating in our present encampment we resolved upon paying a friendly visit to Mr. Sherwin, of Sherwood, whom we considered able, if not willing, to contribute to the funds; and intending if possible to secure one of the men in his employment, in order to ascertain the strength of the enemy, we fixed upon a convenient place, where, with the assistance of a good field telescope I could see the most vulnerable part of the garrison, and thereby arrange the plan of attack. We occupied this position for about three hours, during which Jones recounted some of his exploits while exercising his profession in Sydney, and among other things informed us that he generally carried a cat-o'-nine-tails in his belt for the benefit of tyrannical masters and overseers, but I objected to this proceeding *in toto*, having a great dislike to the office, or any person who followed it, as under the circumstances I would

much rather shoot a man in cold blood, than strike him with the lash. In a few minutes after we had the good fortune to capture one [of the men in the employment of Mr. George Sherwin, who furnished us with all particulars respecting the scene of our intended operations. He also gave us to understand that we would meet a visitor from Hobart Town, who had been stopping at his master's place for the last few days. We then prepared for the attack, and taking our prisoner along with us, and understanding that the main body of the enemy were posted in rear of the premises, we immediately assailed their position, and captured fifteen men in less time than it takes to relate. Leaving Kavanagh and Jones to bind them, I ordered my informant to pilot me to the house, which he did faithfully, introducing me first to the cook, whom I marched in company with my guide into the presence of his master and three other gentlemen, all of whom were sitting at tea, and presenting my piece, threatened to shoot the first person who moved. The names of the gentlemen I found at table were Mr. Propsting, Mr. Propsting, junior, Mr. Payne, and Mr. Sherwin. I was now rather awkwardly situated, not being able to communicate with my officers, and I did not wish to resort to the tying process, with gentlemen whom I found were so comfortably situated. I therefore resolved to abide the issue of events for a few minutes longer, when Jones made his appearance, requesting to know what was to be done with the prisoners, who on the present occasion were fifteen to one. I gave him charge of those in the parlour, and on returning to Kavanagh I happened to meet the post boy, who had just dismounted, and having divested him of his bag, placed him under Jones's humane protection. On joining Kavanagh, we both escorted our formidable body of prisoners into the house and placed them in the company of their betters, but in a very humble position, as we obliged them to sit upon the floor, and from information received from one of our captives, I repaired to the garden, where I found two men who all this time had been perfectly ignorant of what was taking place at the house, and having placed them also in company with the rest, I was satisfied that we had all hands in safe custody, and a numerous body they appeared, the room being scarcely large enough to contain them, being twenty-five in number.

Jones being now at liberty, commenced his labours, while Kavanagh and I kept guard over the prisoners, as we did not think it prudent to trust one man with the care of so many. However, I made flying visits outside, if only for a moment, with a view of picking up stragglers, and on my return one of the men whom we had tied on the floor delivered a motioned message, intimating that tobacco was a very scarce article on the premises, and taking the hint I instructed Jones to get some, which I divided amongst them. Another gave me to understand by signals that we would find some grog in the cellar, upon which I ordered a bucket of wine to be brought, and gave a cup full to each, assuring them that they should have no more in case they might get elevated, and that by so doing we might be obliged to shoot some of them to keep the remainder in order. Mr. Sherwin now requested me in a kind of whine not to give the men any more drink; I observed that when he was master of the premises he might act as he pleased, but that while I claimed the sovereignty, I would not be dictated to. I next demanded to know what fire-arms they had in the house, and having collected them, selected a double-barrelled rifle, a case of duelling pistols, securing the rest where they would not be able to find them for that night at least. I then gave the pistols to Kavanagh, keeping the rifle myself. Jones having by this time placed the proceeds of his industry in the hall, he next directed his attentions to the company, first taking a watch from Mr. Sherwin, who stated that it was not his own, but the property of an orphan boy, and the bequest of his father, on which I told Jones to return it to Mr. Sherwin. Mr. Propsting gave up some money, protesting on his honour that he had no more in his

possession, but this, as we learned subsequently, was untrue, he having concealed his watch and seventy guineas in his boots ; on being apprised of this circumstance through the medium of the Press, we solemnly resolved to trust no more Quakers in future. We collected a very respectable swag, however, of both money and other property, and when about to take our departure, Mr. Propsting requested permission, in pious accents, to speak a few words, which was granted on condition that he would be as brief as possible. He merely wished to make a proposal which he trusted would be for our benefit, namely, that if we empowered him to do so, he would try and come to some arrangement with the Governor in order to have us called in, and that he would exert himself in procuring us a free pardon, as far at least as it might be practicable, and afterwards meet us at any given place, or apprise us of the result by letter. I thanked him for his kind intentions, and informed him that neither myself nor any of my mates required or expected any favour from the Governor, as I considered His Excellency altogether unfit to be trusted with the management of the affairs of the colony, observing also that the evils which existed at Port Arthur and other places of the kind were mainly attributable to him, and these were facts which could not be controverted. We then took our leave, Jones and Kavanagh taking charge of the swag, and being all three of opinion that it was time we relaxed in our labours, and sought a little enjoyment, we took the nearest route to Mrs. B——n's, at the Dromedary, where we celebrated our triumphant return from the Hamilton district, and being joined by our friend the fiddler, we kept up the spree for the next six days without the slightest intermission, or any fear of interruption. We sent Mrs. B——n to Hobart Town for supplies, and contrived, with the assistance of the fiddler, who was an old Hibernian, to pass the next eight days very much to our satisfaction. However, as all things must have an end, I felt obliged to awaken my mates to the necessity of making a fresh demand on the public purse, our own having become somewhat lighter during our stay at Mrs. B——n's, and so round went the world.

CHAPTER VI.

“Stand! stand!” is the word all dread to hear,
Your gold and your gems resign,
With my pistols cocked, and my looks severe,
For a desperate life is mine.

The Attack upon Captain Clark.

Having taken an affectionate leave of our kind entertainers, we crossed the Dromedary. Our benevolent attentions on this occasion were reserved in favour of Mr. Edols, at the Bluff, and being aware that it was necessary to observe the utmost caution, having learned through the Press that parties of soldiers and police were now stationed at such places, as the reader will see on referring to the extracts from the daily journals, in the after part of these pages, we acted upon the old adage that prudence is the better part of valour, we therefore resolved if possible to make ourselves acquainted with the strength of the garrison, the nature of its defences, &c., before commencing the assault. While scanning the bush with my telescope, I had the good fortune to perceive a man in the scrub, who was moving in the direction of Mr. Edols', and on reporting the circumstance to my mates, I took a circuitous route and very soon came up with the party in question who addressed me with great familiarity, asking me if I was not Mr. Clarke, the chief constable, who had been at Mr. Edols', some five or six days back. I replied that I had not the honour of filling such an exalted situation, and that in this instance I should be obliged to introduce myself as Mr. Cash, and that in all probability he had heard the name before. On receiving this piece of unlooked for information he appeared to be taken suddenly ill. I told him not to be at all alarmed, that I merely requested the honour of his company for the next two or three hours, in order to have a little private conversation with him, relative to the state of the neighbourhood in general, and his master's premises in particular, assuring him at the same time that during his detention he would be treated with the utmost hospitality. I then conducted him into the presence of my partners, and Jones having served up dinner Robin Hood fashion, my new acquaintance by-and-bye entered freely into conversation. I then informed him that I should put a few questions to him, and cautioned him to be careful in his answers, as any evasion on his part was sure to bring its own punishment. I then apprised him of our intentions respecting Mr. Edols' establishment, and enquired the strength of the party that was there, to which he replied that there had been a party of constables stationed at his master's residence, but they had left a week before. I next enquired as to what description of place it was, and if he thought they were likely to make any resistance. He answered that the place was well fortified, and that there was no lack of arms, ammunition, &c., observing also that the old gentleman and his two nephews had boasted they should certainly capture us, if we had the temerity to attack the house. He also remarked that there was a most ferocious dog on the premises, adding that he had a very narrow escape from this dog some few days since. I then assured him that we should rob this place without meeting any resistance, notwithstanding the vaunted bravery of Messrs. Edols and Co., but I took this opportunity to remind him that if I found he had misled us by any false statements he would be the first person I should shoot. We then presented him with money, clothes, and tobacco, which we permitted him to

plant in the scrub until his business with us was concluded. He observed it was a lucky day with him, having earned more by his new undertaking as our guide than he had done by honest industry for the last three months.

We started on our expedition at about eight o'clock at night, taking our guide along with us, and on entering the yard we were instantly attacked by a large mastiff dog, who made straight up to me, and having pulled a pistol from my belt, I rammed the muzzle down his throat, discharging it at the same time, when he fell dead at my feet. The dwelling-house was surrounded by a verandah, which was built up at the ends, forming apartments, the doors of which opened on the former, and observing a light in one of these I immediately demanded admittance, expecting every moment to be fired upon by the party inside. Not receiving an answer, I called upon Kavanagh, and with the butt ends of our pieces, we burst open the door, and we all three together, with our guide, at once entered the house, where we found Mr. Edols sitting on a sofa, in company with his two nephews and his wife and daughters, all of whom appeared to be dreadfully intimidated. Kavanagh, on looking behind the door, found three stand of arms, which on examination were found to be all loaded with ball, and enquiring the reason, he was told by Mr. Edols that they generally loaded with ball when shooting opossums. I here observed that the balls were not intended for opossums but for our especial benefit, only they lacked the courage to carry out their kind intentions, adding that they might thank the presence of the ladies, or I should be more explicit with them, and having noticed that Mr. Edols sat rather uneasily on the sofa, I ordered him to stand, and in doing so I discovered a highly finished pair of duelling pistols, which he was trying to conceal, and which I handed to Jones, who appeared to take a fancy to them. Having secured every person in the house, Kavanagh took charge of them, while Jones was examining the state of the exchequer, myself looking after business on the outside of the building. Jones stripped Mr. Edols and his nephews of their watches, and having also appropriated all the available cash, and what other property we intended to carry off, we broke all the firearms which we found in the house, observing that they did not appear to be of any use to the occupants, also that too great a display of valour, was very often an indication of the want of it, and that the propensity of boasting often brought those who indulged in it into disgrace. After bidding the ladies good night we made our exit. Our reason for destroying the arms was simply because they were loaded, and therefore unsafe to be left in the house, not thinking it judicious to discharge them. The reader will be informed, on referring to the newspaper extracts, that Mr. Edols was totally unarmed, and taken by surprise, but this was not the case, as I have faithfully detailed the whole proceeding.

On getting about two miles from Mr. Edols' we held a council of war, and concluding that flying squadrons of the enemy would now invest the neighbourhood, we directed our steps towards a place called Hollow Tree Bottom, being the most unlikely place for us to visit, at least, in the opinion of the police, and not wishing to make slavery a profession, we planted our colours, remaining for the next two days in our new entrenchment, in order to have a rest and make other necessary preparations for a fresh campaign. On the morning of the third day we crossed the main road and travelled on leisurely in the direction of the Tiers, near Jerusalem, pulling up at a farm house belonging to Mr. Stokell, where we found an overseer and some working hands, the former of whom prepared us a very excellent breakfast of ham and eggs, after which we packed up what provisions we thought would be sufficient for the next four or five days, and departed, retracing our steps, and again crossing the main line of road at the foot of Constitution Hill, we arrived at the Hunting Ground, where we established our head quarters. While here, Jones, in addition to his duties as purveyor-general, prepared a number of ball cartridges, at which he

appeared to be quite an adept, having been similarly employed in England. We next took our pieces asunder, cleaning them thoroughly, and although not having any belts to pipe clay, we were yet fully equipped, and in every way prepared to defend ourselves.

I now took the liberty of representing to my mates the absurdity of leading such an aimless life, and also the necessity of making one or two heavy draws on the finances of the colony, and then retiring from public life, selecting some sequestered spot in a distant country, where we could spend the residue of our days in the tranquil enjoyment of wedded bliss, and establish a character and a name that would cause us to be pointed at by the rising generation as patterns of virtue, possessing all those qualities calculated to embellish in an eminent degree the domestic circle. Jones, whose views were always in favour of polygamy, suggested a trip to the city of the Salt Lake, which, according to recent accounts, was teeming with milk and honey, and, what was infinitely sweeter, a surplus of beautiful women. Kavanagh next remarked that his views on the subject of matrimony or on any subject whatever were extremely limited, but that in his humble opinion the free and undisputed possession of the Island of Tasmania should certainly be sufficient to satisfy the wants and ambition of three unassuming mortals like ourselves, and that for his part he was determined to hold his share in the sovereignty while he could find good and loyal subjects who were able, however unwillingly, to contribute towards the maintenance of his dignity. I next endeavoured to point out the instability of all human greatness, referring to Louis the Eighteenth as an illustration, who, in the midst of all his seeming popularity, had been obliged, without a moment's reflection, to take passage in a vessel very little better than a washing tub, and seek refuge in perfidious Albion. Jones here remarked that the subjects of that vacillating monarch had arrived at that stage of enlightenment to which ours by any possible stretch of fancy could never arrive, and giving it as his decided opinion that our mouths were better adapted to the purposes of mastication than to giving utterance to meaningless jargon, intimated that the dinner was ready; after which we reclined on our grassy couch, resolving in a short space of time to test the liberality of some of the most influential settlers in the district.

In a few days after, and at twilight in the evening, we sallied forth being quite undecided as to who should first have the honour of receiving us. We had not travelled far when meeting with a hawker, who had his goods packed neatly in a cart, we begged the honour of his company, as it might afford us a safe passport to the house we decided upon visiting, the inmates of which would never for a moment imagine that Cash and Co. would visit them in such a conveyance. We therefore ordered him to convey us with the utmost despatch to the residence of Mr. Thompson. On reaching the door we knocked for admittance, which was immediately answered by some person inside, enquiring who we were, and what was our business, as at this time the settlers throughout the colony had become very circumspect. The person whom we pressed immediately answered "hawker," being obliged to do this through intimidation. The door was instantly opened, and we all entered the house, bailing up the family, together with six working men, who occupied a hut in rear of the premises. Here Kavanagh and I replenished our wardrobe. Mr. Thompson being a person of a large stature, his clothes fitted us admirably. Jones had no difficulty in providing for himself in this respect, at any place he came to, as he was below the medium size. It happened to be harvest time; and on this occasion we distributed the grog rather freely among the working hands, who, it appears, robbed the hawker after we had left the premises. But to return to my tale. Jones in his researches picked up a silver cup, valued at forty pounds, which Mr. Thompson had previously obtained as a prize for an entire horse, but we did not take it. We managed, however, to lay hands on a considerable sum of money, also a good stock of necessaries, and leaving them to chew the cud

of sweet and bitter reflection, we repaired to the rendezvous, where we spent a few days in quiet retirement.

Captain Clark's homestead next occupied our attention, but here we were not so fortunate as on our last expedition. It happened that when about one hundred yards from the house, we were seen by a female assigned servant, who instantly gave the alarm, and before we could reach the house the doors were all barricaded. Not being able to effect an entrance at the back, Jones and I moved round to the hall door, which with our joint exertions, we at length opened, and having entered the house, were immediately joined by Kavanagh. Leaving both my mates in charge, I repaired to the men's huts, and secured five working men, whom I marched back to the house, and placed in company with the family. At this stage of the proceedings, I saw a young lady whom I thought I recognised, and on scanning the face of the master of the house, I instantly remembered that I had formerly been on the premises, but under very different circumstances. In a previous part of my narrative, it has been told that my companion and I were brought before a magistrate when taken into custody by Mr. Pitt and his men, and also that we had been discharged on that occasion. I was now aware that Captain Clark was the gentleman who acted so generously. I therefore told my mates that circumstances prevented me from touching anything on the premises, and also that I wished to depart as quickly as possible. Jones, on this, at once discontinued his business, and on making our exit, the young lady, judging my motives in acting as I did, addressed me by name, telling me that she knew me the moment I entered the house. I expressed my sorrow for intruding upon the family, honestly assuring her that had I known who it was that occupied the house, she would have had no cause for alarm. We then bid them a courteous good night, putting them to no other inconvenience than the fear occasioned by our visit. On our way to the camp I explained the matter to my mates, who appeared to be highly gratified at the turn affairs had taken, and I may as well state that the female servant, who gave the alarm, had reason to rejoice at our visit, Captain Clark having represented her conduct on that occasion in such a favourable light to the authorities, that she was shortly after emancipated, on which she retired from service and rented a cottage in Green Ponds, where she set up a laundry; but her star was on the ascendant, as she shortly after formed an intimacy with a wealthy man named Johnston, who subsequently married her. She may be still living for all I know to the contrary. It appears that she had been married in Scotland before getting transported to this colony, and that she left a family behind her in that country. What became of the first husband I do not know, but I do know that she sent home for her children, all of whom are now very wealthy, and still reside in the vicinity of the Water Holes.

On reaching our bivouac we laughed at our last adventure, which brought no grist to the mill; but as our larder was pretty well stocked, there was no necessity to levy contributions for a few days at least, and in order to enjoy ourselves in the best possible manner, I went to Green Ponds for a few bottles of rum, intending in this instance to act on the square by paying for it. My mates expressed their wish to accompany me, but this I declined, and having equipped myself with two brace of pistols in my belt, surmounted by an over coat buttoned up to the throat, I started on my journey and arrived at the "Ponds," without meeting with any adventures. I immediately repaired to Mr. Ellis's tap, and called for three square bottles of gin, and while waiting to be served, I noticed some half-dozen people, male and female, drinking there, all of whom appeared to gaze upon the stranger being served. I tendered two one pound notes in payment, and while waiting for the change, a constable leisurely walked up to the door with his hands in his pockets, and having surveyed the company, retired a few paces from the door, and halted at the side of the street. I had my eye upon all his

movements, although he did not appear to be aware of the fact, and after securing my bottles in a handkerchief, I passed quite close to him, walking leisurely down the township in order to avoid suspicion, and in less than an hour afterwards joined my comrades, who regretted in my absence that they had permitted me to go by myself. We enjoyed ourselves until a late hour that night, and the next morning took up fresh quarters in the same locality. We were informed while here, by a man whom we accidentally secured, that the famed John P——e, with a party of constables, had paid a visit to Captain Clark's, in order to learn the particulars of our attack upon that gentleman. Mr. P——e on this occasion was dressed in a blue serge shirt and moleskin trowsers, assuming the guise of a constable, his mates, during his stay at Mr. Clark's, addressing him by the sobriquet of "Jack." Mr. P——e, on entering into conversation with one of the female servants, who it appears had been previously arraigned before him while exercising his functions on the Bench, but who, owing to his disguise, was not aware of his identity, had expressed his surprise that such a fine looking woman should immure herself in the country, remarking that the city would be the most fitting place for her. The woman, under the supposition that she was addressing a petty constable, replied that she certainly preferred the town, and would have been residing there at the present time if it had not been for that infamous wretch, John P——e, who gave her six months in the Factory for speaking to her sweetheart, adding that —— would never be full until he was in it. The constables all had a laugh at this declaration on the part of the woman, in which John P——e joined as heartily as any of them, at the same time stating his opinion that John P——e must be a —— wretch to pass sentence on such a fine woman. However, on finding that John P——e was in pursuit of us, we one and all resolved to look out, and if possible not to miss him, at all events, should we chance to come in contact with his party.

We next crossed Kemp's Lakes, bearing up for the River Clyde, and on nearing Mr. Allardyce's we met two shepherds, whom we compelled to keep us company until we got near the road leading from Cluny to a farm belonging to Mr. Clark, on the banks of the Clyde, where we halted in a wattle scrub to take some refreshment. By-and-bye we perceived a horseman and a person travelling on foot, the latter being armed, approaching in the direction of Cluny. On their coming near to our position, one of the shepherds whom we had in custody recognised the horseman and told us that he was a magistrate named Clark, and begged that we would take him into custody also, in order to save themselves from the imputation of willingly assisting us, and judging he was right I told Jones and Kavanagh to get upon the road and meet them, being of opinion that only seeing two armed men they would not suppose they belonged to my party. On getting sight of Kavanagh and Jones they halted, but only for a moment, the footman at this time taking the lead, and when about twenty yards in advance of his companion he was met by Jones and Kavanagh, who passed on without seeming to notice him. This gave the horseman more confidence, who now boldly rode up, but on reaching my mates Jones ordered him to dismount. Kavanagh at this time turned round upon the person who was armed, being then about fifty yards in advance, and ordered him to drop his gun, which he did instantly. This manœuvre may have been preconcerted between themselves. They quickly returned in charge of both prisoners, Kavanagh having concealed the gun in the bush where the owner could find it when we had done with him. On joining our party, Mr. Clark seemed very nervous, and asked for a drink of water, on getting which, he expressed some concern for the horse which was standing at a fence on the right of our position. Jones here peremptorily ordered him to come and fetch his horse, which Mr. Clark did not appear inclined to do, particularly in Jones's charge. Observing that he was a little alarmed, I addressed him civilly, and told him to be under no appre-

hension, and that all we requested was the honour of his company, being then on our way to give Mr. Allardyce a call, and assuring him that when our business was finished there, we would be most happy to set him at liberty. His spirits rose wonderfully on receiving this information, and telling Jones to secure his horse to a tree, where he would find it on his return, we entered into conversation. He asked for a light for his cigar, with which he was accommodated, and by-and-bye he appeared quite friendly with all of us. I asked him in a jesting manner if he ever committed a robbery. He replied, "No, Martin, I have never done that." "Well, Mr. Clark," I answered, "I shall have the honour of giving you the first lesson, and I trust it won't be lost upon you." We chatted in this manner for a couple of hours, when casting my eyes down the road, I observed a man coming up in the direction of Cluny, Mr. Clark observed that he was a blacksmith in his employment, who had been at his farm that morning to execute some repairs, and was now on his way home. I was therefore of opinion that should I allow him to proceed on his journey, there might be some awkward enquiries respecting his master, who ought to have arrived some hours before him, so we secured him at once, our party at this time numbering eight; we then took the shortest route to Mr. Allardyce's, and as I headed the party I called upon the first man I saw on the premises to stand, and as he did not appear to notice me, I very soon called him to attention, and placed him along with our prisoners. Mr. Clark asked him if he knew who spoke to him, when he stolidly replied that he knew it was Martin Cash, upon which that gentleman rebuked him for endangering his own life and probably the lives of some others of the party by his seeming indifference.

We found the premises were in charge of an overseer, whom we secured, together with four working men, and having placed them all in a room, with the exception of Mr. Clark, who requested permission to come out with me, Kavanagh took charge of our prisoners, Jones as usual doing the principal part of the business. A verandah ran along the back of the house in which was fixed a wooden bench which answered the purpose of a table. Jones here furnished Mr. Clark and myself with chairs, together with some brandy and water, and while in conversation, I expressed my regret at making him (Mr. Clark) a party to our lawless proceedings, the only excuse I could offer for so doing being a very sorry one, viz., a want of confidence. I found, however, that he took the character of host, as he filled our glasses, supplying me very sparingly with brandy. Thanking him for his precaution, I assured him that neither my mates nor I ever drank liquor to excess. I, however, took it as an unmistakeable mark of kindness on the part of Mr. Clark. In the course of conversation he candidly informed me that he had a party of police stationed at his residence at Cluny, for his own especial protection; on which I assured him that he might safely dispense with them, giving him my word that his place should never be disturbed by either of my party. (I may here observe that on reaching home he dismissed the police.) He expressed an opinion that the police would never take us, but that in the event of our meeting a party of soldiers, we should have to kill them outright, as there was no retreating with that force. I replied that if we did unfortunately fall in with the soldiers, they would all have their work to perform, as both my mates and myself had good arms and knew how to use them. Jones now joined us, and informed me that there was a splendid double-barrelled piece in a hut some distance from the house, and pointing in the direction, I signified a wish to go for it myself, upon which Jones directed Mr. Clark to enter the house, but he offered to bear me company, and we both went to the hut, where I found the piece, which proved to be the best I ever handled; it was beautifully mounted, and the barrels remarkably long. I at once took possession of it. On our return Mr. Clark reminded me that he was a married man, and begged me to spare the feelings of his wife, who would be in a dreadful state of suspense, in

consequence of his absence. I regretted the necessity of detaining him so long, but assured him that we should be as expeditious as possible, and when we were clear of the premises he would be at liberty to act as he thought proper, and exert himself in his magisterial capacity in having us captured. He smiled at the remark, and a moment after requested me to permit him to go to His Excellency and sue for terms ; but this I steadfastly refused, observing that when Sir John had us in custody, he might dispose of us as he thought proper, but that while we lived we would solicit no favour at his hands. After discharging my rifle, I placed it against the wall, and requested the overseer would be kind enough to see that it was returned to Mr. Sherwin, as it was his property. Being now joined by my companions, who were both heavily laden, we took leave of Mr. Clark, and were soon clear of the premises.

The Shannon was now our destination, where we intended to remain in seclusion, for the next three weeks at least. We had a plentiful supply of flour, tea, and sugar, and knew that there was little difficulty in procuring a supply of fresh meat. My knowledge of that part of the country enabled me to conduct my mates by the shortest and safest routes, and on reaching our journey's end, we fixed upon a camp ground which offered facility for repelling an attack, and having made what preparations we could for our comfort, my friend Jones supplied us with a remarkably good dinner, and being tired we then retired to our respective opossum skins for the night. The best part of next day we spent at ball practice, as we all wished to test the accuracy of our pieces ; and I now found that my new acquisition could be safely depended on. When on our marauding excursions we generally loaded one barrel with five pistol bullets, and the other with one. Our motive in doing this was simply to reserve the barrel with the five bullets until the enemy was in close quarters. I recollect that one evening while sitting in camp I observed a crow perched upon the branch of a tree at a distance of about a hundred yards from where we were sitting. I laid hold of my piece, which was loaded with a single bullet, and having fired, the crow flew about a dozen yards, and fell. On Jones picking her up he found that the bullet had passed clean through the body, for which he promised me five gallons of brandy the next time we visited Dromedary Park. This circumstance assured me that if I missed my mark it would not be the fault of the gun. At ball practice we generally marked a ring in the bark of a tree, about four feet from the ground and six inches in diameter. We would then fire in turn. Jones proved himself a much better shot than Kavanagh, perhaps because he was a better thief ; but I may say for myself that I seldom failed to place the bullet in the circle at a distance of one hundred and eighty yards, and further.

We remained in this encampment for a fortnight, when finding that my friend Jones was getting restless, and unable to converse upon any subject that was not in some way connected with Mrs. B——n, I judged it expedient that we should remain in seclusion for another week, thinking it might cause our enemies to suppose that we had escaped from the colony. My readers may now be of opinion that I in some measure assumed the command of the party ; but this was by no means the case, as I never did anything without consulting my mates, and if they did not take the same view of the matter—why there it ended ; but I must confess that they in some way gave me the lead in all matters connected with our movements, and also that my suggestions were generally adopted. I cannot account for it, but the journals of the day imputed the leadership to me, although I never was so conspicuous as either of our party in our many adventures, but I certainly enforced my opinion on one or two occasions when either was about to do a thoughtless act. We now prepared for fresh enterprises, and took leave of our drill ground, crossing the Shannon, travelled on to Bashan Plains, where, on coming to a stock hut belonging to Mr. Espie, we bailed up the inmates, and after supplying ourselves with what we wanted, we were obliged to take a horse to carry our

swag. Proceeding to Lake Echo, we were pulled up by a fence, which stopped our progress. I left my mates in charge of the horse, and walked along the line in search of a favourable place to effect a passage, before finding which I had to travel about one hundred yards, and on turning to call my comrades, I found that they had an additional member to their party, and also was of opinion that there was something the matter, as I observed Kavanagh step back a pace or two from the stranger, who had a kangaroo knapsack on his back, and put himself in a position to fire. I called out loudly to him to stay his hand, at the same time running up to where he was standing and enquiring what he was going to do, or if he knew the stranger. He answered in the negative, but remarked that he had asked Jones what was to be done with him, when the latter observed that he did not care a —— what was done with him, upon which he resolved to shoot him to save encumbrances. I then told Kavanagh that if he knew the man, and had received any injury at his hands, he was at perfect liberty to blaze away, but that if he were guilty of such an unwarrantable action as to shoot a perfect stranger, I would have shot at him the moment I returned, and this I should certainly have done, as I was very much out of temper with Kavanagh on this occasion, for I could scarcely believe that he would ever be guilty of such a cold-blooded action. The person who caused this altercation was in the service of Mr. King, who was then on the trigonometrical survey of the island; however he kept close enough to me during the day and that night; but things turned out more fortunately for him than he had reason to expect at the first, as we gave him some money and other things before sending him away. By a curious coincidence I called at a house when up the country some sixteen years after, and found that it was occupied by the man in question, who knew me immediately, and expressed his gratitude in the warmest manner, at the same time introducing me to his wife and children as “the preserver of his life.” On our route through Lake Echo district, we came to a creek, where Jones gave his gun to Kavanagh, and while leading the horse across followed by the latter, who had a piece in each hand, Jones’s went off, lodging the five bullets with which it was loaded in the belly of the horse, which plunged forward and fell dead on the opposite side. In explaining the cause of the accident, Kavanagh stated that the trigger must have caught the branch of a tree, not being able to account for it in any other way. We planted our swag in a hollow tree about fifty yards from the creek, where we put up for the night, and next day selected a more eligible situation about one mile further back in the bush. Intending to remain quiet for a few days, we erected our tent, and Kavanagh having just returned with some water, with the view of making some tea and Jones being in the act of lighting a fire, I imagined I heard the cracking of rotten sticks in our rear, and imposing silence on my mates, we all laid hold of our arms, and a moment afterwards I espied a man dressed in prison clothing, moving round the head of the tree at the butt of which we were stationed; he was immediately followed by others, of whom I counted eleven dressed in the same costume, all armed with guns. I was perfectly aware they were soldiers, as they generally assumed that disguise when in pursuit of absconders. Having got clear of the head of the tree, they continued to move round in single file, passing quite close to our position. I was of opinion that Kavanagh would betray us by his restlessness, as I could not possibly keep him still. They left us in peace, however, and we did not think it necessary to interrupt them, although while moving in front, we could nearly have reached them with the muzzles of our guns, and had any of them cast their eyes in the direction of where we were posted, we must certainly have been discovered. I am yet of opinion, had such been the case, they would not have captured us, as we had our double-barrelled pieces levelled on them, and after the first discharge, we could have retired through the bush; but it was ordered otherwise, and when the incident had passed we felt much happier in mind than if we had encountered our

enemies and come off victorious. Scarcely had an hour elapsed after the last named occurrence, when my friend Kavanagh had another accident by the discharge of his piece while handling it. This caused us some uneasiness, not knowing but that the report might be heard by the soldiers. We remained undisturbed, and a day or two afterwards pursued our journey until we came to a shepherd's hut, which we found on enquiry belonged to Captain McKay, and as this was the gentleman whom we intended to visit, we all three entered the hut, and at once divested ourselves of our knapsacks. The shepherd, who had some knowledge of his customers, proposed to make some tea, and while so engaged a young gentleman rode up to the door and commenced to rate him soundly for permitting his sheep to trespass on his (the gentleman's) run. The shepherd, during the time the other was wasting his eloquence outside, informed us that the new comer's name was Gellibrand—Thomas, I think he said,—and that he occupied a run on the other side of the creek. Kavanagh upon getting this information went outside the door, and addressing our visitor remarked that he appeared to be in a very bad temper, when the latter exclaimed, "Oh, Cash, I know you well enough," upon which Kavanagh ordered him to dismount and enter the hut; he appeared rather sullen at first, but by-and-bye hove-to, and became rather communicative and more sociable. Jones took a ham from his knapsack, and gave it to the shepherd with instructions to cook it for dinner, at which we were cordially joined by Mr. Gellibrand, who made himself very affable and quite at home, and asked a great many questions, to which we invariably gave him the wrong answers. He appeared surprised to find us so much at our ease, and requested us to recapitulate the affair at the Woolpack, which we did for his amusement, and afterwards informed him that we intended to visit Captain McKay, and also that we should make him our guide, not with a view of practising any deception on Captain McKay, but simply to prevent him from letting the cat out of the bag. He appeared rather reluctant to act as our cicerone, but as necessity has no law, he was forced to consent, and so we started on our mission of mercy, Mr. Gellibrand taking the post of honour, with the shepherd in his rear, and passing three men who were fencing we were obliged to take them into our army for the reason above given. We now formed a pretty respectable cavalcade, and on reaching the house had no difficulty in securing the redoubtable Captain McKay together with all others whom we found on the premises, and placing them in the usual manner, Kavanagh assumed the office of gaoler, and Jones that of purveyor-general to the forces, while I perambulated on the outside, looking in occasionally to see how business was progressing. Some of our prisoners telegraphed for tobacco, I suppose through hearing that I had supplied others when at Mr. Sherwin's. We took the hint and by-and-bye they were making clouds in every direction. Captain McKay being a great martinet, at once protested against the men smoking in his parlour, observing that such a thing had never occurred since the building was erected; upon which Kavanagh called "order," threatening to deal summarily with him if he dared to issue any commands while we were in the house, and turning to the men, observed that he should shoot the first man who desisted from smoking in our presence. We loaded two horses belonging to Captain McKay with our booty, and picked up a fine field telescope. Resolving to test the hospitality of Mr. Gellibrand, we marched the latter, in company with Captain McKay and his men before us, until we reached our destination, where in like manner we looked to the safety of those whom we found there. Jones and Kavanagh took charge, while I paid a flying visit to a hut which I saw at a little distance from the house, where I found a married couple, who enquired if I were Martin Cash; on my assuring them that I was the person, they requested the honour of shaking hands with me. I brought them over to the house and placed them with the rest, and at this time the room could scarcely contain our prisoners. However, Jones commenced operations, while Kavanagh remained in charge of the inmates, and I pointed out to

Mr. Gellibrand his great want of hospitality in return for our generous behaviour on meeting with him. He smiled at my remarks, and replied, "D—l a fear Cash but you will look after yourself." He took the hint, however, and by-and-bye every person, with the exception of Captain McKay, sat down to tea. Kavanagh on observing this, found that gentleman a place at the foot of the table, between two of his own men. Mr. Gellibrand enjoyed this exceedingly, being aware of the notions of exclusiveness entertained by the former, who on this occasion should be very grateful to me—but of this hereafter. We remained at Mr. Gellibrand's until 11 o'clock, although we were within two miles of a police station, and after stripping the party of their boots, in order to prevent the scouts from giving alarm on our departure, we pressed into the service three horses belonging to our host, and securing our booty on the backs of the nags, we took an affectionate leave of our friends, paying especial marks of attention to Captain McKay, and said good night. We then travelled on in the direction of the Lakes, and when about six miles from Mr. Gellibrand's, we planted our swag, placing the saddles in a hollow tree, and setting the horses at liberty, pursued our journey on foot until daylight, when we halted to take breakfast and rest ourselves after the fatigue of the previous day. My mates did not appear satisfied at being prevented from carrying out their kind intentions in favour of Captain McKay, as Jones intended to flog him, having, he said, made it a general practice when under arms in New South Wales, wherever he heard of tyrannical masters or overseers, to apply the lash, and found that it answered the purpose in every instance. I stated my opinion that it would be both cruel and unmanly, observing that I should be sorry to see either of my companions assume the office of flagellator-general for the island of Tasmania, adding that I at least should never countenance such a proceeding. I carried the day, and Captain McKay little imagined how much he was indebted to me, as had it not been for my interference, he would have received one hundred lashes that night, owing to the harsh and tyrannical manner in which he invariably treated his assigned servants, who had not the power to resist his cold-blooded cruelty.

In retracing our steps to the Dromedary Park, we had two objects in view, namely, to put our pursuers off the scent, and also to see a little life, and thereby combine business with pleasure. In a few days we arrived at Cobb's Hill, our friends receiving us with every demonstration of friendship. Jones now resigned the office of purveyor in favour of Mrs. B—n, whom we commissioned to proceed to Hobart Town for a supply of mountain dew and other necessaries, and also to bring Kreigan Hill with his fiddle. All arrived at the rendezvous the same evening, our friends bringing intelligence that the local Government, when all other expedients failed, had brought over two New South Wales trackers, in order to ferret us out. As some of my readers may not understand my meaning, I must inform them that a body of aborigines are retained in the pay of the police in New South Wales, whose success in tracking absconders is perfectly marvellous. It appears they can track the foot prints of an individual for hundreds of miles over any description of country, and should the party pursued change their boots they will still unerringly follow up the track, and ultimately bring the police upon them. I was now aware of the danger that threatened us, and formed a plan to counteract it, namely, that we should return to the Shannon, and by sticking up one or two homesteads, give the police to understand that we had again resumed professional duties. We would afterwards proceed to the Big River, affording them every facility for tracking us to a fording place, which I had marked for the purpose, and which had a steep bank on the opposite side, covered with a thick scrub. The river at this place forms a rapid current, and is about three feet deep, with a very stony bottom, thereby causing the passage to be both slow and unsteady, and here we could cross, leaving unmistakable marks of our having done so; taking up our

position on the opposite bank, and sheltered by the scrub, await the coming of the trackers, who of course would be accompanied by the police, and when we found them in mid-stream, we would have no difficulty in disposing of the lot if they did not behave themselves, and so make our escape. This was merely a plan that I intended to carry into execution when we were tired of enjoying ourselves. We were now in the receipt of the daily journals, which informed us of the strenuous exertions which the Government were making to effect our capture, offering a large reward in money and land, and also a free passage from the colony to any person who would betray us. It may seem surprising that Mrs. B——n should resist the temptation of securing such a very large reward, but I am of opinion that she was deterred more from fear than principle, being quite aware that we should not be taken without a struggle, and that should any of us escape her own life would stand in danger. I never gave her credit for entertaining feelings or principles of a high order, and the only disinterested person I knew residing in that neighbourhood, was my friend Mundy, who still remained firm without receiving either thanks or benefit.

The old fiddler proved to be a most amusing character, and quite a wit in his way. He related a number of stories and anecdotes whenever his bow hand was idle. I recollect him telling us that he was one of the party who had sworn-in Samuel Lover (the author of *Irish Legends*), on the night of the burning of Wild Goose Lodge. He had been a noted riband-man while in Ireland, and participated in the troubles of 1798. He had also been at the burning of Scullabogue Barn, and carried the colours at the battle of Vinegar Hill; in fact, he was the real prototype of Darby the Blast, and although not deriving much benefit from our party, yet would sooner die than betray us. We learned from Mrs. B——n, that during our absence some persons had called at the house with a subscription list in aid of the widow of D. C. Ward, who had been recently murdered by two absconders named Jeffs and Conway. She laughed at the idea of their visiting her on such an errand, but both my comrades and myself regretted very much that we had not the opportunity of contributing towards the maintenance of the widow, as we condemned the whole proceeding, being of opinion that they might have dealt with Ward in quite a different manner, and without bloodshed, much less murder. However, doctors differ, and I only imagine what we might have done under similar circumstances. Both Jeffs and Conway were perfect strangers to me. I was much amused on reading a paragraph in the *Review*, in which the editor informed the public that our party had expressed a determination of going in pursuit of the murderers, with the view of obtaining the promised pardon together with the reward. I have no doubt had we done so we should have been successful, but it was not in our line of business, as at that time there was a similar enquiry about ourselves. But there was no probability of our going upon such an errand on other grounds, as we considered it purely a matter for police interference. Mrs. B——n, after one of her visits to town, informed me that my companion had been discharged by proclamation, although the articles found in her possession were fully identified and sworn to as the property of Mr. Shone, of the Back River. On referring to the newspaper extracts, it will be seen that the Government set her at liberty with the sole object of entrapping me, but I entertained a very different idea, thinking the Government were influenced by other motives, and that her discharge was mainly attributable to the threatening letters I had sent from Mr. Kerr's, the Governor well knowing that I was a very likely person to put my threats into execution. If she had been discharged through the first-mentioned motive, why did they apprehend and keep her in gaol until my letter reached the Governor.

CHAPTER VII.

A stranger ear amid those sounds of sadness,
Which came upon the night wind heavily,
In vain had listened for the note of gladness—
“The trumpeting which tells of victory.”

The Night Engagement at Salt Pan Plains.

Remaining a considerable time at Mrs. B——n's, and leading a very pleasant life, having all our wants carefully attended to, we neither cared for, nor thought upon the future, resolving to make the best possible use of the present. One evening, while chatting over a glass of egg flip, a circumstance occurred which afterwards gave rise to mutual suspicion and distrust. It happened that while our arms were placed behind the bedroom door, Mr. B——n walked deliberately from the fire, where he had been standing, and laid hold of my piece, on seeing which I commanded him to put it down firmly remarking that I would not permit any person to take such a liberty while there was a price upon my head. He at once replaced the gun, and returned to the fire-place, apparently very much disconcerted. My mates were of opinion that the precaution was unnecessary, but on reconsidering the matter they acknowledged that I was right. I may observe that all three were in possession of double-barrelled pieces, which we always kept loaded, and that it would not be difficult for Mr. B——n to discharge both barrels in a moment without the probability of missing his aim in such close quarters, and afterwards laying hold of another weapon discharging that also. But all this was purely imaginary on my part, as he might not have had any such intention. Being always of opinion that prevention was better than cure, I resolved to trust no person, more especially with the care of my gun, having now nothing else to depend upon. While at Mrs. B——n's a brother of the latter returned from service, intending to reside for the future with his sister, and in the course of a few days Kavanagh and he got very intimate, as it would appear that the former was his uncle on the maternal side. He gave him some very handsome presents, and also gave Mrs. B——n a splendid gold watch, which he had taken from Mr. McKay, when at Mr. Shone's, at the Back River. I was glad to see that the family were now in much better circumstances than when we paid them our first visit.

I must observe that at this time our enemies were completely at fault, a great many of them supposing that we had at length effected our escape from the colony; but under any circumstances, we could not possibly exist, our stores having been sprung by the trackers, while there were others who divined the true state of affairs, knowing that persons with money can subsist almost anywhere. I determined on our next excursion to rid the colony of the black demons at all events, and in order to do so as quickly as possible, we took leave of our friends on the mountain top. After this we travelled on in the direction of Broadmarsh, until coming to the residence of Mr. Gunn, where we understood that Major Ainsworth, who commanded the military who were in pursuit of us, had taken up his residence, and resolved to give him some intimation of our proximity. At nightfall we called at the house, where we learned on enquiry that Major Ainsworth and his party had returned to Hobart Town a few days previously, and it being from the overseer that we received the information, we charged him with a message to his master, complimenting him upon his zeal, however uselessly exerted, in affording every assistance by information and

otherwise to the detachment of Her Majesty's 51st K. O. L. I., which had been quartered upon him when out in pursuit of us, intimating also that our visit on this occasion was intended for no other purpose than to meet the military. We therefore touched nothing on the premises, but continued our route until we arrived in the vicinity of Mr. Greenbanks', who kept the Half-way Inn, situated near the main line of road between Oatlands and Ross, where we intended to have refreshment free of expense. When within a mile of our destination we met two shepherds who had but recently left the public-house, from whom we got the required information respecting the strength of the garrison. This was a hazardous undertaking, not knowing the moment a party of soldiers or police would be passing the inn, but on acting the maxim "nothing venture nothing win," we directed our steps to the house, where we found two men standing at the front door, one of whom on seeing us tried to make his escape, but Kavanagh succeeded in seizing him by the collar, and, swinging him round, sent him with some persuasion, headlong into the bar, and having secured the bolter, with five others, whom we found in the sitting room, I left them in charge of Kavanagh, and repaired to the kitchen, where I found a female, who informed me that there was a sick patient upstairs. Thinking this might be a ruse I demanded to see the nurse, who quickly came down, and requested to know on the part of the missus if there would be any firing in case we were attacked. I directed her to inform the good lady that we should make little and less smoke, and that had we been aware that she was so situated, we should have postponed our visit. I then returned to the front of the premises, where I had an opportunity of reconnoitring for a distance of nearly half-a-mile to the right, and seeing the coast clear I entered the bar, where I found my friend Jones acting as landlord, and the night being very cold, I requested a glass, but this he refused, and ordered me outside on duty. Being aware that obedience is the first duty of a soldier, I at once complied. But by-and-bye having again returned to the charge, I was this time more successful. I then told him to confine his attentions exclusively to the bar, as the landlady was ill upstairs, but we shortly afterwards decamped.

Being in some measure baffled in our last undertaking, we proposed a visit to Mr. Kimberley's on the same night, in order to make up for deficiencies, and on reaching the house we found the doors securely barred, and the inmates in bed. We demanded admittance in the name of the Queen, and as they did not appear to pay proper respect to Her Majesty, Kavanagh immediately shot the lock off the door, and we made our *entree*, each taking a different direction, being obliged to introduce ourselves in the absence of the master of the ceremonies. On entering the first room I came to, I espied a man in the act of escaping through the window, and making a grasp at him, I seized his belt to which was affixed a kangaroo skin pouch containing 14 rounds of ball cartridge. I subsequently learned that he was a constable (Kelly) who had been placed there to protect the premises; but it appears he had more regard for his own safety, as his first care on being aroused from sleep by the discharge of Kavanagh's piece, was to make his escape through the window. He managed to take his gun with him, however, having put it through the window previous to my entrance. I next repaired to another room where I found Mr. Kimberley in bed, with a loaded piece standing at his head, and taking possession of it, I ordered him to rise and accompany me, which he did immediately, and joining Jones and Kavanagh who had four men secured in another room, Kavanagh took charge of the whole. In our further researches through the house, Jones came to a door which resisted his efforts, and while applying the muzzle of his gun to the lock, with a view of blowing it open, I happened to catch the sound of a female voice inside, and instantly called on him to desist. Mr. Kimberley, who could hear what was passing from the room where he remained in custody, remarked that there were three of his daughters in the room.

Having opened the door, Jones was about to enter, but I told him to remain outside until the ladies were in readiness to leave. I then requested them to dress as speedily as possible, and they all three shortly afterwards made their appearance in the passage. I then observed to Jones that he could now proceed to business, and conducting the ladies through the passage placed them in company with their father. While waiting for Jones to make his selections, I enquired of Mr. Kimberley who it was that had made such a speedy exit through the window, observing that in his haste he had left an article behind him which I was most anxious to return, provided I knew the address of the owner. He replied that he was a constable who was sent to guard the place, adding that he had too much respect for himself to think about any person else. What became of him after, I never could learn, as the affair was never made public, the police having been in bad odour for some time back, owing to their acknowledged inability to capture us. I expressed my surprise at Mr. Kimberley not using the very formidable weapon which I found standing at his head, having had time enough in all conscience to prepare for his defence, but recollecting that I was in the presence of ladies, I made no further remarks, and when Jones had concluded his investigation we retreated as quickly as possible, being of opinion that the constable who had made his escape through the window might have a party in ambush. The night being tolerably clear we moved on cautiously until getting near Mr. Pillinger's, when we met a man, whom we requested to point out the way to a hut occupied by one Samuel Smith, who was an old acquaintance of mine ;—and on receiving the required information we at once proceeded thither with the object of having some refreshment. Before entering the hut, we left our knapsacks outside, near the door. My friend Smith did not appear to recognise me until he found there was no necessity for concealment ; he then shook me warmly by the hand, and also welcomed my mates. We found him in company with two others, and wishing to give him a glass of the liquor we had taken from the inn, I took a bottle from the knapsack, and returned to the hut, where at this time Kavanagh and Jones were engaged in discussing some pancakes which had been in course of preparation previously to our entering. My mates here reminded me that I was losing time, and while in the act of pouring some of the liquor from the bottle, I heard a voice outside the door exclaim, "Surround the hut ; we have them, here's their swag." This happened to be a party of seven soldiers and three constables, who were sent from Oatlands in pursuit of us, on receiving intelligence respecting our attack upon the Half-way Inn and Mr. Kimberley's, on the same evening.

Finding there was no time for deliberation, I laid hold of my gun, and, opening the door, discharged both barrels to the right and left, at the same time exclaiming "Come on my hearties, you have got us !" On hearing the exclamation, Jones blew out the light, and I returned to the door and re-loaded my piece. During this time I heard nothing from my mates, but on capping my gun again Jones enquired what was to be done ! I merely replied that we would have to shoot two or three of them, and stepping outside the door, I loudly enquired if they were all dead, at the same time reminding them of the large reward they would get for apprehending us, if they could only muster up courage to do so. I found that they had taken our knapsacks, and requesting them again to show themselves, observed that they were a cowardly set of rascals, knowing well enough that it was Cash and his party that now addressed them. Jones again enquired what we had best do. I here called out at the top of my voice, that if they did not return and share the brandy with my mates and me, I should report them to John Price, adding that they were a shabby set of scoundrels to plunder us while we were at tea. Our company now advanced about fifty yards in front of the hut, not as yet seeing anything of our assailants, but on hearing them at the door of the hut calling upon me to surrender, Smith loudly answered that we had left the premises, adding that they were quite aware of

the fact. On hearing this we commanded Smith to leave the hut, and bring them out a light, and telling my mates to get ready, I exclaimed, "Here is a light," at the same time giving them a volley, which was instantly returned. I felt something strike my ear, and put up my hand to find if I were wounded, but it was merely the concussion of the ball as it grazed my head so close that I could feel its touch. The party now called upon us to stand, but this order was unnecessary, as we were standing and re-loading our pieces. One of our adversaries now called out, "Where are you?" upon which we told them that they were taking the wrong direction, at the same time giving them another volley, which they soon after returned. This was merely random firing, the darkness of the night preventing us from seeing each other, neither had either side the wish to get into close quarters. However, we invited our assailants to come away from the hut and fight like men, our object being to save Smith and his mates, whom we imagined might be hurt by some of our bullets; but my fears for their safety were without any foundation, as I afterwards learnt that they ensconced themselves behind some wool mattresses, which they had in the hut. We now heard another party coming from an opposite direction, one of whom (on hearing the firing which had been kept up during the whole time) exclaimed "Come on, cowards," but on our side giving them a volley, they all rushed into the cabin, when we took up a fresh position about fifty yards in a different direction. I again challenged the party to come out and take us; they then fired a volley from the rear of the hut, but on receiving our fire in return, they retreated and joined the party within. We challenged them several times to come outside, receiving volleys in answer, all of which favours we promptly replied to. Finding we could not induce them to leave the fortress, we bade them good night, telling them our ammunition was nearly expended, and also that we had returned them the fourteen rounds of ball cartridge which we had taken from their comrade at Kimberley's. I subsequently heard that the party which attacked us that night numbered fifteen, including volunteers, who on their return from the scene of the conflict, called at Mr. Harrison's, who was a Justice of the Peace, and resided within a mile of Smith's place. This gentleman, on hearing the firing, imagined the party were shooting us down while in the hut, but on seeing them return without bringing us dead or alive, he called them a cowardly set of rascals, ordering them immediately to leave the premises, remarking that they should be ashamed to confess that fifteen, all well armed, were not able to capture three careworn bushrangers!

My readers will see that we could have escaped on leaving the hut, had we felt so inclined; but although not wishing to take the lives of any of the party, nor desiring to lose our own, we resolved to give them every opportunity of displaying their courage. Possessing in the first instance the advantage of knowing that we were inside the hut, they nevertheless not only permitted us to escape, but afterwards forced themselves into the hut, from which we could not dislodge them, merely slipping out occasionally to fire a random shot at us. It was also with the view of putting a stop to any further boasting that we acted as we did. But it appears that in the face of such damning proofs of their cowardice, they would try to vindicate their conduct through the medium of the Press, as in the instance of Constable Creswell, who it appears commanded the party on that occasion, and who, in a letter addressed to the editor of the *Advertiser*, wilfully misrepresented the whole affair, stating that when he and his party came within fourteen yards of the hut door a dog barked, and on his calling Smith, the door opened and a man discharged a double-barrelled piece at him, he at once returning the fire. This is untrue, as the first intimation we had of their presence was the exclamation I have already mentioned. It would require some good sound logic to explain the reason why fifteen well armed men could not secure three who were safely lodged unsuspectingly inside a hut, and not at all aware of their presence. But this is a digression. Having waited some time

after the firing ceased, and finding that we were rather awkwardly situated, in consequence of losing our knapsacks and opossum skin rugs, I handed my gun to Kavanagh, telling him to give it to some one else in case I did not return, and taking a pistol in each hand, I walked up to the front of the hut, where we had left our knapsacks, in order to see if any of our luggage remained. I had the good fortune to pick up my own rug, which had been placed over the top cover of the knapsack, but had dropped to the ground on my opening the latter to get a bottle of brandy for Smith and his mates. I could hear them conversing inside, and, returning to my mates, taking my rug along with me, we left the battle-ground, having nothing to regret save the loss of our knapsacks and ammunition. I subsequently learned that the corporal in charge of the military received two slight wounds on the night in question, and as we did not get to close quarters, I must infer that they were bullet wounds. We had now only one opossum skin rug to cover three of us, and were quite bare of all other necessaries. However, we travelled on until we reached the Western Tiers, where we bivouacked for the night. Whether the late occurrence impressed my friend Jones with a full sense of his position, I cannot say, but I recollect that while lying in our camp he pointedly remarked that should he ever be taken alive he would, if possible, avail himself of the services of the Rev. Father Therry, who, he imagined, was the only truly pious man in the colony, and in his opinion reflected credit upon any profession or creed to which he belonged. I quite agreed with him in his opinions, but enquired in the name of every thing wonderful what put such gloomy thoughts into his head, or if he was about to renounce the honourable profession of arms and enter into holy orders. Not appearing to notice my expressions, he continued to observe that it was both possible and probable that in some of our encounters with our enemies one or all of us might be wounded in such manner as to preclude the chance of escape, and that people in our situation should be always prepared for the worst. He remarked that his parents and all his relations were members of the Church of England, but that he should die a Roman Catholic, and if possible be attended in his last moments by the Rev. Father Therry. I endeavoured to banish these gloomy notions from his mind, but my efforts were unavailing, and he appeared reserved and taciturn for a day or two afterwards. On our route, we crossed the Tiers, and arrived at a shepherd's hut on the River Isis, where we put up for the night, being treated with the utmost kindness by the shepherd and his wife. The next morning, after breakfast, we remunerated them far beyond their expectation, giving them a £5 note, which we had some trouble to make them accept. We then took our leave, and shaped our course in the direction of Mr. Gatenby's—or Kit Gatenby's, rather—being a son of old Mr. Gatenby's, at the Macquarie. We espied Mr. Gatenby ploughing in a field adjoining the house. Having concealed ourselves, Kavanagh gave me his gun, and in a few minutes he was standing beside that gentleman, ordering him at the same time to knock off work, and accompany him, observing that he had travelled some miles that day in order to show him a new principle of producing, expressly got up for the benefit of the agriculturists in that locality. Mr. Gatenby, who by this time had a knowledge of his customer, remarked that had he not mistaken Kavanagh for a person who he expected was coming to buy some cattle, he would have shown him a clean pair of heels, and peppered him well after, if he had the temerity to follow him to his residence. However, he had to accompany Kavanagh, and on joining us he again remarked that had we attacked him in his residence we would have found ourselves mistaken. I answered it was much better as it was ; even supposing him to be well armed, yet he might not be able to defend his property, and pointing to several large stacks of corn that were standing near the house, I assured him that in case of meeting any resistance we would have set fire to them and to his dwelling-house also, upon hearing which he appeared quite confounded, and abruptly observed,

“Oh, you surely would not do that.” I again assured him such had been our intentions, and that very probably we might do so yet, if he did not conduct himself in a more becoming manner, and treat gentlemen who put themselves to so much inconvenience, in order to pay him a friendly visit, with a little more respect and civility. We then conducted him to his own establishment, which, by-the-bye, was very extensive, and on entering the house we found ourselves in the presence of Mrs. Gatenby and a female domestic. The latter on seeing us appeared to have lost her senses with terror, as she walked about apparently quite unconscious of everything. I was sorry to see this, and used my utmost efforts to reassure her, informing Mrs. Gatenby that we only intended to borrow a little money from her husband, who at this time was brought into the room by Jones. The former continued to talk very freely, while the latter helped himself to what he wanted, and as the ladies were present, we did not interrupt Mr. Gatenby, merely deferring his punishment to a more fitting opportunity. Jones was doing his work most effectually, as in his researches nothing seemed to escape him, and while taking everything of value that he could lay his hands on, he observed an old watch hanging over the fire-place, and this he took also, although it was not worth a shilling. We were obliged to take three knapsacks from the men’s hut, as the reader is aware that we had lost our own at the Salt Pans, but we left £3 on the table in payment—whether it was fairly divided among the the owners of the property taken, we did not stop to ascertain. After packing up the proceeds of Jones’s industry in the knapsacks, I ordered Mr. Gatenby to pick up the heaviest of the three, and come along with us, assuring him that we should compel him to take the lead in attacking the next place we came to, and should there be any stray bullets flying about, he should have his share of them. After travelling four miles, with the knapsack strapped to his back, he became restive. I was therefore obliged to remind him that in the event of any misconduct on his part, I should place another knapsack on the top of the one he already carried, upon which he remarked that my career was nearly at an end, as he would shortly have the satisfaction of seeing us all hanged, as we deserved. I instantly called a halt, and we made preparations to hang him at once, to prevent such a contingency, but we abandoned the idea after he had begged our pardon on his knees. I made him carry the knapsack, however, for five or six miles further by way of penance, and after giving him a caution to behave better in future when in the company of gentlemen, we allowed him to return, shaping our course for the Lake River, where we encamped for the next three days, in order to clean our arms and make other necessary preparations, in order to carry out our benevolent intentions in visiting any or all of Her Majesty’s subjects, whom we deemed able, however unwilling, to contribute to the funds, and on the fourth day, having resumed our journey, we arrived at a farm belonging to Mr. Cairns, where we found a man employed in turning manure about fifty yards from the dwelling house. Kavanagh, on saluting him, enquired if there were any men up at the house (meaning the police.) “Yes, Sir,” the man replied, “if you mean constables there are seven of them,” pointing to the rear of the premises. We could distinctly see four out of the seven, who were so situated that it would have been almost impossible for them to miss seeing us. Kavanagh in a low tone enquired what was to be done, and I replied that it would be better to leave them in peaceable possession and beat a retreat. Acting upon this prudent suggestion, we crossed a cultivated paddock, in order to reach a thick scrub about two hundred yards in advance of us, occasionally looking behind to see if our enemies were in pursuit, but all appeared to be quiet. We then picked up our knapsacks, and, congratulating each other upon our narrow escape, took the nearest route for the Macquarie River. We had not travelled before we found that we were followed, and seeing no other means of avoiding the enemy, I dropped my knapsack and hurriedly told my mates to tree

themselves, our pursuers using the same precaution. A dead silence intervened for a moment or two, when I heard a voice exclaim, "Come out, Cash, and let us have a shot at one another." I instantly replied, "Here I am," and springing from behind the tree presented my piece at my antagonist, who was distant about forty yards from me, but unfortunately, or fortunately I would now say, I laid my finger on the wrong trigger, the hammer of which was down. I consequently lost the proper sight of my adversary, who I subsequently learned was Constable Carlon, who made himself so conspicuous at the Salt Pans on the night we were attacked. After exchanging shots, happily without effect on either side, I again returned to the tree mortified and disappointed, and while re-loading my piece my mates, who were so situated that they could see and converse with me, warned me against exposing myself unnecessarily, reminding me that we were fighting against an enemy who had all the advantage on his side, and that there was nothing left for us but to save ourselves if possible. All this took place in the space of a few seconds, there being no firing with the exception of the shots exchanged by Carlon and myself. Being of opinion that the latter was merely trying to establish a reputation for courage at my expense, I resolved to test his pluck a little further, and again stepping from the tree called upon him to have another shot, but my challenge was not responded to. I then joined my mates, whom I cautioned to remain stationary, as I imagined that the constables were only waiting for a pot shot, and returning to my former position, again called upon my challenger to show himself, but receiving no reply, it struck me that the field was in our possession, which proved to be the case, Her Majesty's officers having silently retreated, leaving us to continue our rambles without further molestation.

I felt very much annoyed at what appeared to be an act of carelessness on my part, in not being better prepared when receiving the challenge; but I now look upon it as an interposition of Providence, which in all probability had saved me from committing a murder. We laughed at the notion of seven brave men, who it afterwards appeared formed the party we had seen at the house and were sent in pursuit of us by the man to whom we had been speaking, running away from those of whom they had been in pursuit, and particularly after such a flourishing demonstration of bravery. Kavanagh observed that the whole affair appeared to him to be rather mysterious, having only seen them for a moment, after which they disappeared as if by magic. On reconsidering the matter I was of opinion that if they were all as plucky as Carlon, we should see a little more of them, as I believed that he was a brave man; but in giving me the challenge, he did so under very great disadvantages: as in the first instance he had no fear of a death on the scaffold, but on the contrary, was buoyed up with the hope of receiving a very large reward, although it would appear that he did not exert himself too much to earn it. Circumstances alter cases. I am therefore of opinion that had Constable Carlon been in my position he would not have manifested such bravery. I do not wish to detract from his merit; I only wish to show that our situations were widely different.

Finding ourselves very much fatigued, and also short of provisions, we slowly bent our steps in the direction of Mr. Youl's, on the Macquarie River, as I was acquainted with a shepherd in his employ. I was aware that if we found him at home we should get some refreshment. On coming near our destination we passed Mr. Kearney's, and were seen by some of his working men; but this circumstance gave us very little trouble at the time. We soon after reached Mr. Youl's, and had the good fortune to find my acquaintance, who, with the hut-keeper, was the only person we could see on the premises. My friend received us very kindly, and the hut-keeper placed refreshments on the table, to which my mates sat down, while I remained in conversation with his companion. Kavanagh here reminded

me of the Salt Pans, where I lost my supper in consequence of my tardiness. He had scarcely finished his remarks when I heard a noise as of persons speaking in low tones outside the house. Knowing that they did not belong to the place, I caught up my gun, and on opening the door I perceived in the dark the figure of a man, who appeared to be armed. Without hesitating a moment I fired at him, upon which I heard a sharp exclamation, and I imagined that something had fallen to the ground. My mates presently joined me, and we all three walked round the premises, listening attentively for any clue that might lead us to our enemies, for such we supposed them to be. We now heard footsteps as of people running in the direction of Mr. Kearney's. We remained at the front of the premises for about ten minutes, and then adjourned to the kitchen. Before reaching the door Jones trod upon something that attracted his attention, and on picking it up he found it to be the barrel of a gun. He next picked up the stock, which on examination appeared to be smashed by a bullet. We afterwards learned that three of Mr. Kearney's men, who had seen us when on our way to Mr. Youl's, had armed themselves with a view to capture us, and were then coming to the house with the intention of shooting us inside, when I accidentally overheard them, and the reader is aware of what followed. They all escaped uninjured. We did not therefore think it advisable to remain at Youl's for the night, as we had at first intended. Packing up some provisions we crossed the Macquarie River, where Jones lost his hat, and halted on the Hammock Hills, the property of Mr. Archer, distant about five miles from the main road. Here we planned the coach robbery. We picked up an almanac at Youl's, which informed us of the time of starting and other particulars, and enabled us to know the time the coach would arrive at Epping Forest, this being the place we intended for the enterprise.

It was agreed between us that I was to stop the coach, but in the event of an accident my mates were to place themselves in such a manner as to enable them to effect their purpose afterwards. On meeting the coach, I presented my piece at the coachman, and ordered him to pull up, which he did on the instant. I next ordered him and all the passengers to alight. I was now joined by my comrades. Kavanagh placed himself at the horses' heads, I stood at the door (or window) of the coach in readiness to hand out the passengers. Mr. Jacobs, being the first who made his appearance, was at once handed over to the tender mercies of Jones, who immediately examined the state of his exchequer, and being under the impression that, as Mr. Jacobs happened to be an inside passenger, he might inadvertently trespass on the rules of etiquette by wearing his hat in the presence of the ladies, Jones immediately took charge of that appendage, and placed it on his own head, Mr. Jacobs not at all seeming to relish the proceeding. Mrs. Cox, on being introduced, presented me with a purse, which I instantly returned, as I was quite aware of her identity—she being a widow, I would not deprive her of anything. I am happy to inform my readers that Mrs. Cox is still living, and in all probability these pages may promiscuously meet her eye, and if so, she will acknowledge the truth of my statement, which differs so widely from the account of the affair given in the columns of the *Advertiser*. Miss Holton being the next who submitted herself for examination, evinced considerable inclination to faint, but at my earnest solicitation she deferred doing so until some more fitting occasion. Jones politely took charge of what cash and other property she possessed, and when all was collected, we gave them to understand that they were at liberty to proceed on their journey.

In the account given of this affair in the *Advertiser*, we are represented as coming from the South Esk, whereas we came from a different direction. But as this is a matter of very little consequence, I will pass on to where it states that on Mrs. Cox giving Jones her pocket-book, some papers, together with a pound-note, dropped on the road, and on Jones (who appeared rather nervous on that occasion) picking them up, Mrs. Cox observed, "You really

appear more frightened than we." I here deny that any such remark was made by Mrs. Cox, or by any person else, as they all evinced too wholesome a dread of us to take any such liberty, and I also deny that Kavanagh had presented his piece at Hewitt, the coachman, or at Mr. Darke, on the occasion referred to, although both of them attested the fact on oath at Kavanagh's trial. I was the person who presented my piece at the coachman, and when Kavanagh came up he merely stood at the horses' heads, with the butt-end of his gun resting on the ground. It will be seen also that we were accused of robbing Mrs. Cox, when that lady lost nothing by the transaction, and it was for this robbery that my mate Kavanagh was tried and sentenced to be executed, although being a neutral party in the affair. I do not mean to say that he did not take a part in it, I merely wish to point out that the evidence adduced on his trial tended to show that he acted as a principal. We were now of opinion that our enemies on hearing of our last adventure would imagine that we should ensconce ourselves in the hills; we therefore adopted quite a different plan of action, and travelled through the most unfrequented part of this country until coming within a mile or two of Ross, where we remained in ambuscade, digesting our plans for the future, until our ration bag was nearly empty, which hinted the necessity of taking active measures, and from the character which we had previously received of Captain Horton, we judged him to be the most likely gentleman in that locality who was able, however unwilling, to perform an act of benevolence, and upon this supposition we performed our toilet, with a view of paying him a friendly visit, and being aware that he was very exclusive, maintaining a style of aristocratic reserve towards his less pretending neighbours, we resolved that the frost of his exclusiveness should thaw before the earnest appeal of three free gentlemen of the lance. We soon arrived within sight of the fortress, it being the most appropriate name I can find for that gentleman's residence, which was defended by an outer wall with embrasures, and, in fact, all the other appliances of a citadel about to be besieged. We therefore reconnoitred for a short time in order to ascertain if the enemy had any weak points which could be turned to advantage, and at length resolved to take the garrison by a *coup de main*, but on getting up to the ramparts, we found that a considerable body of troops were scattered in a line of defences which we would have to attack before taking possession. We therefore advanced with a firm and determined front, and after some slight skirmishing, we made ourselves masters of the outer works, and also succeeded in taking fifteen of the enemy, whom we immediately placed in durance, with the exception of one who conducted us to where the main body were posted. Our strength being now reduced, having to leave one of our number in charge of prisoners, we were obliged to act with great caution. The troops in the garrison were as yet unconscious of our presence, as we carried the outer works at the bayonet point, but on advancing to the ramparts we were seen by a scout, who quickly retired to give the alarm, but Jones, with great presence of mind and the most undaunted bravery, rushed across the ramparts and placed the scout *hors de combat* before he could give the alarm, and afterwards charged the enemy *en masse*. On hearing the fusilade inside, I was of opinion that the escalading party had met with a determined resistance, and might in all probability be vanquished, and resolving to revenge the death of my comrade, I fiercely commanded the guide to climb the ramparts, being responsible for his safe custody, and speedily bore up for the attack, and passing over the body of the scout, I found Jones engaged in a hand-to-hand encounter with the captain of the garrison, who, on seeing a reinforcement coming up at the charge, gave himself up as a prisoner of war, and the fortress at once capitulated.

When in possession of the fortress we brought in our prisoners, placing them all together, upon which we were informed by the Captain that a female had made her escape during the conflict, and would likely return in a few

minutes with a fresh body of troops. He also made use of very insulting language, not at all becoming the character of a gentleman ; and among other things, observed that he was not afraid of losing his life, if I was. I cautioned him to be silent and to retract his expressions, and with these injunctions he complied at the end of my gun. Had he been armed, and in a position to defend himself, I would have put his courage to the test, if all the police in Ross and Campbell Town were on the premises. Jones now stripped him of his watch, and in my rambles through the fortress I found a young lady in deep mourning, with whom I did not interfere, thinking that as Mrs. Horton had made her escape, all further precautions were unnecessary. We then quitted the garrison, taking very little with us, and as no blame could be attributed to any of our party, who all acted with the greatest courage and determination, we resolved at some future time to pay another visit to our friends, when we might have a better opportunity of testing the courage of the officer in command. We travelled on until reaching the Western Tiers, where we remained in the fastnesses of the mountains for the next week, and while here I resolved to carry my plans into execution respecting the New South Wales trackers, having learned from a newspaper which we found at Captain Horton's that they succeeded in finding our stock of provisions, which we had planted in a most inaccessible part of the bush. This circumstance caused me to be more anxious than ever to carry out my benevolent intentions in favour of my sable adversaries. We therefore started for the Lakes, and on sticking up a shepherd's hut, belonging to Mr. Clark, of Ellenthorpe Hall, we found a quantity of rations, which we carried with us. When travelling over a piece of land that baffles description, being a complete mass of limestone rock, and so uneven that it required great circumspection in crossing it, my poor friend Kavanagh met with a serious accident, which brought his career in the bush to a close, and also deprived us of his company and assistance. It appears that in getting over the rocks he had a fall, and his piece, by the concussion against the rocks, exploded, the ball entering his arm at the elbow, and running along the bone went out at the wrist, rendering the limb perfectly useless during the rest of his days. I was about fifty yards in advance at the time of the occurrence, but on hearing the report of his gun, I dropped my knapsack and quickly returned to see what was the matter. I found poor Kavanagh on the ground bleeding profusely, and stripping him of his coat, and tearing up a clean white shirt into bandages, I bound up the arm as well as practicable. He appeared to be quite faint, and after looking about for some time I presently found some water, of which he drank eagerly, and this for a moment revived him. We then tried to cheer him up, and suggested our immediate return to the vicinity of Bothwell, from whence, at night, I could go into the township, and by a scheme which I proposed to adopt, one of us procure the services of a doctor, leaving him under the care of Jones during my absence. He then destroyed his gun, and Jones and I having each taken a share of his bundle, we all, with heavy hearts, travelled on in the direction of Bothwell. About four o'clock the same evening, finding Kavanagh quite exhausted, we halted and made a fire to warm some water to bathe the wound ; and while Jones unwound the bandages, I procured some herbs, which I applied to the injury, and this treatment appeared to give him relief. I then explained the plan I had formed, and stated my intention to carry it into execution at once, viz., on ascertaining where the doctor resided, I was to call upon him after dark, and on seeing him, bail him up instantly, and march him on before me to the place of our encampment. I was quite satisfied at the time that this could have been easily accomplished, but Kavanagh would not hear of it, having resolved to give himself up to Mr. Clark, at Cluny, whom, the reader will remember, we had in charge when attacking the residence of Mr. Allardyce. We used every argument and entreaty in trying to alter his determination, but finding it useless, accompanied him the next morning

until coming within a short distance of Cluny, where we parted. I am sorry truth obliges me to say that Jones, while on the road to Mr. Clark's, privately hinted the necessity of shooting Kavanagh, being under the impression that he might reveal our haunts, and particularly our visits to Mrs. B——n's, thereby getting that family into difficulties. I rebuked him for making such a heartless proposition, observing that had I been in Kavanagh's situation, he would treat me in like manner, and regretting very much to hear him suggest anything so unmanly. I kept my eye upon him until Kavanagh was far away on the road, being of opinion that Jones would do almost anything rather than forego his visits to Mrs. B——n's at the Dromedary. We returned in very bad spirits, as neither of us liked the idea of Kavanagh giving himself up to the authorities, although I never for a moment thought that he would make any disclosures to injure us. For the first time, I now became disgusted with my calling, being of opinion, after what had lately transpired, that there could be no confidence or friendship between men placed in our position. But the die was cast, and I was obliged to follow it up to the end.

On parting with our companion, my sole remaining mate and I remained in seclusion for the next fourteen days, without committing fresh depredations. Jones was strongly of opinion that Kavanagh would inform the authorities of our visits to Cobb's Hill, but his notions in this respect I strongly opposed, and in order to put the matter to a test, we both started off, about five o'clock in the evening, with the intention of paying our friends another visit, although being in a perfect state of uncertainty as to the result. Kavanagh might be weak enough to betray us, and consequently we should be putting our heads into a hornet's nest. I could scarcely believe, however, that he would do such a thing, but my confidence in my associates in crime had been much shaken by hearing Jones express a desire to shoot Kavanagh, and I must confess that I never afterwards regarded the former with any other feeling but that of distrust. At the dusk of the evening we arrived at a hill distant about a quarter of a mile from Mrs. B——n's dwelling, and having planted our knapsacks, we equipped ourselves in the lightest possible manner, taking nothing with us but our arms and moving cautiously through the scrub we at length got near enough to hear conversation inside, but could not recognise any of the parties, or understand what was spoken. Remaining in the utmost suspense for some minutes longer, we rushed to the door, which we quickly burst open, and entered the house, being resolved to know the worst at once. Our friends were very much astonished, on seeing the door fly open, but on recognising us their fears for their own safety soon vanished and they received us in the usual welcome manner. I took the precaution, however, to examine the bedroom, in order to assure myself that no treachery was intended, and finding that all was correct, I joined the family, whom we at once made acquainted with Kavanagh's misfortune, explaining that our motive for breaking open the door, was owing to our being under the impression that the house might be occupied by the enemy. They were already aware that Kavanagh was in custody, but as to the circumstances which led to his capture they were entirely ignorant, until hearing them from us. Our host returned from the settlement with supplies, and we had a very pleasant night of it. It struck me, however, that the unfortunate position in which our friend Kavanagh was placed seemed to give the family very little anxiety, although claiming him as a near relative. This circumstance caused me to think that all their seeming friendship for my mates and myself was hollow and insincere, and I was, therefore, more distrustful and guarded than ever. We here had access to the newspapers, from which we learned that Kavanagh, on his arrival in town, informed the authorities that he had shot Jones and myself, and this assured me that he did not intend to betray us. His statement was in some measure credited, as nothing could be heard of either of my mate or me since Kavanagh surrendered. We con-

cluded, therefore, that we were safe so far as Kavanagh was concerned, but, as I before observed, my confidence in Mrs. B——n was much shaken, owing to the *nonchalant* manner in which she descanted upon the misfortunes of her uncle. She had a widowed sister, who on one occasion visited the house, but having timely notice, Jones and I secreted ourselves in the bedroom while she remained. I had an opportunity of seeing her from where I was concealed, and she appeared to be a very fine woman, but Mrs. B——n did not suffer her to remain very long, as she expressed an intention of going to Brighton, and requested her sister to accompany her. She did this with the view of getting her away from the house, as it appears she did not wish to trust her own sister with the secret, which, by-the-bye, was a very dangerous one. I mention this circumstance in consequence of being obliged to introduce this person again to the notice of my readers. Mrs. B——n on her return furnished me with a few particulars of the widow's history, but as her story afforded no interest to me, I paid very little attention to this part of her gossip. We had also a visit from Mrs. B——n's father, who lived about a quarter of a mile from the Crooked Billet. He appeared to be a staunch old Englishman, and was on all occasions as jovial and hearty as any of us, forming a striking contrast to old Vinegar Hill, who joined us on this occasion, both belonging to different countries, and each possessing a very large share of their national peculiarities. We passed the time pleasantly enough, but I could never wholly divest myself of the feeling of distrust which had lately taken possession of my mind, but which afterwards proved, as far as I was concerned, without the slightest foundation.

There are some who have a presentiment of evil, but not being sufficiently acquainted with metaphysics, I can only say that, although having the utmost confidence in myself, I still felt a foreboding of some disaster, which I could not by any means shake off, and, if I must say so, Mrs. B——n frequently intruded herself upon my thoughts when indulging in these gloomy reveries, and I never could place that unbounded confidence in her which the circumstances surrounding my position should have warranted.

I was now sick of seclusion, and resolved again to take the field, even supposing that we should bring affairs to a final issue ; and being informed that we could borrow £200 on applying to Mr. John Clark, of the Tea Tree, we hastily equipped ourselves for the expedition, and at seven o'clock in the morning came in sight of that gentleman's residence. On this occasion we were accompanied by our informant, who on showing us the house, remarked that his part of the business was concluded, and having brought a couple of bottles of ale, a shoulder of mutton, and some bread and cheese, we all sat down in a scrub close by, and partook of a slight collation, after which our guide left us to our own contrivances.

We were given to understand that we might expect some resistance at this place, as they constantly kept eight stands of arms loaded in the passage, in anticipation of our visit, and also that Mr. Clark's son-in-law, who was a tall powerful man, known by the sobriquet of "Rough Harry," was a most determined character. We deferred making the attempt until evening, and remained in a hollow tree, in order to escape observation. I could not help feeling the loss of Kavanagh, although not detracting for a moment from the merit of Jones, who, upon all occasions, evinced both courage and determination ; yet I must confess that I considered myself in some measure alone, and that in our future forays I should have to depend more than ever upon myself. At about two o'clock in the afternoon I began to get rather restless ; and feeling a strong desire to see how we could manage business under the new state of things, I called upon my mate, who had fallen asleep, and stated my resolution to attack the premises at once. He unhesitatingly agreed, and we walked deliberately across the paddock in the direction of the house. Jones on this occasion wore an old dilapidated hat, which partially concealed his features, together with a very seedy looking fustian

shooting coat and tattered trowsers, in order to appear as a labouring man in search of employment. As for myself I did not take the trouble to assume any disguise whatever. On reaching a fence about two hundred yards from the house, we planted our guns, relying in this instance on our pistols, as it would not be judicious to carry our arms up to the house, it being an open country and broad daylight. We soon reached the front of the house, which we passed, and entered a passage which led to the rear of the premises and opened upon a yard surrounded by out-houses, and flanked by a garden fence, through the gate of which an old gentleman passed just as we entered. He eyed us both very suspiciously. I stepped up to him and enquired in a careless manner if Harry (meaning his son-in-law) was at home, to which he answered in the negative, stating that he was at Brighton. He then turned on his heel as if about to leave us; Jones caught him by the shoulder, wheeled him round, and ordered our host into his house, at the same time pulling a brace of pistols from his belt. On following him in we found two ladies employed at embroidery. At a glance we recognised one of them as the mistress, by a description of the lady previously received. We assured them that there was no harm intended, our business being merely to borrow a little money, as our funds in the bank were exhausted. They both appeared to treat the affair cavalierly, until Jones began to make demands upon their generosity. In his researches he was accompanied by the mistress, being of opinion that her advice and assistance would be absolutely necessary in finding what he was so much in search of, and consequently hasten our exit. On getting upstairs I heard Jones having some altercation with his guide, who, it appears, had handed him 30s., remarking that she had no more money in the house. Upon this Jones flourished his pistol. She put up her hands, poor lady, in great fear, and exclaimed, "Oh, would you do that?" He then took the keys from her hand, and on opening a drawer found 19 sovereigns. He next applied the keys to two drawers, but finding that they would not answer, he asked the mistress to let him have the right ones, but she appeared to know nothing about them. Having an opportunity of hearing what passed, I called upon Jones to send her downstairs, adding that I would hand him up an axe that might possibly answer the purpose. This had the desired effect, the keys being handed over immediately, and Jones continued his researches, finding a pocket book filled with notes in one of the drawers. Rough Harry's box, was next attended to, where he found a five pound note, together with some first-rate articles of clothing, which fitted me remarkably well, and on collecting everything we thought worth carrying away, we made our exit, Jones whistling the rogue's march to our footsteps.

On our way back to Cobb's Hill we found that we had realized the sum of one hundred and ninety pounds by our day's work, independently of other contingencies, and at about 8 o'clock the same night we safely arrived at Mrs. B——n's, where we found a large fire burning, the candles alight, and the windows thrown open, in order to assure us on our approach that we had nothing to dread; the tea equipage was also in waiting, and here let me remark that I have rarely met a more cleanly housewife than was Mrs. B——n. They did not make any enquiries as to the success of our undertaking, but our host and his wife eyed us intently, being evidently anxious to know the result of our journey, but from me they learned nothing. However, they afterwards informed me that the moment they saw Jones they were perfectly satisfied that we had been successful. I must now anticipate my story and relate an incident that occurred some twenty-two years subsequently, and when engaged in writing these memoirs. On the 26th January, in the year 1856, while passing the Berridale Inn, I was called into the bar by the landlady, Mrs. Mason, who enquired if I knew or ever recollected having seen her before. I replied in the negative, observing that she was quite a stranger to me, although calling at her house on one or two previous occasions. She next asked me if I ever remembered making a remark to a female whom I

saw at a place I was sticking up, to the effect that she was the gamest woman in the colony. I immediately answered yes, that I had made that remark to a young lady whom I found at Mr. Clark's, at the Tea Tree, when Jones and I borrowed some money from that gentleman, observing that she could not be the person, as she did not bear the slightest resemblance to the lady in question; but on her recounting the particulars of that transaction, I was satisfied that she must be the same. However, although calling me in, she did not offer to treat me, permitting that civility to be exercised at my own expense, which caused me to think that we were not very good friends; but had it been any other than the landlady of a public-house I should have invited her to wine for reminding me of the most eventful part of my career. And now let me take the reader back to the Dromedary. After tea, we settled our accounts with our hostess, and packing up the knapsacks, took our leave. She appeared to be very much surprised at our sudden departure, but knowing that our last affair at the Tea Tree would settle all idle rumours respecting us, and cause the district to be to us in a state of siege, for some days at all events, I judged it expedient to clear the neighbourhood of our enemies, and in order to effect this, I formed a plan to rob Her Majesty's mail at Spring Hill, which would cause our pursuers to rush into the latter quarter, and thereby give us an opportunity of returning to Mrs. B——n's, and enjoy the fruits of our labours in peace and security. On leaving the latter place, we repaired to our log fortress on the Dromedary, where we remained for the night, and after cleaning our arms and making other necessary arrangements, we started for Spring Hill, where we arrived on the next evening. At 12 o'clock that night we found ourselves awaiting the coming of Her Majesty's carriage, and on hearing the sound of the wheels, I planted myself in the middle of the road, and when within five or six paces of the leaders, I called on the driver to pull up, at the same time presenting my piece at him. He had the sense to obey the summons, and on being ordered to alight, I found that he could scarcely stand through excessive terror. He implored mercy, stating that he was a married man and had a family. Seeing the man nearly petrified with fear, I told him to calm himself, and not to be at all in dread of us, as we had no inclination to hurt him, on which he presented me with his purse, and expressed a wish to shake hands with me, the poor fellow being still of opinion that he was not yet out of danger. I thought about his wife and family, and returned him his purse untouched, but on searching him to see if he had any arms concealed on his person, I found a silver watch in a tin case, which I knew was the property of the Post Office authorities. I kept that, and next demanded the key of the boot, which I gave to Jones, who found this department crammed to excess, as it happened to be an English mail, and on cutting the bags open, we contrived to scrape forty pounds from the letters, together with a gold watch belonging to a Scotch minister, which had been forwarded to Hobart Town for repairs. It appeared by the inscription on the inside of the case that it was a present from his congregation. However, Jones took charge of it in order to see that the repairs were properly executed. On a further search, he discovered another gold watch, neatly enveloped in a package, and addressed to some Jew in Hobart, whose name I cannot recollect. Jones appropriated this also, and begged the coachman would so far favor him as to convey his respects to Moses, and say that circumstances obliged him to borrow his time-piece. He also forwarded his respects to the Scotch minister, with a guarantee that the necessary repairs should be neatly and expeditiously performed, and that in return for his (Jones's) trouble he hoped that his reverence would offer up a prayer or two for his conversion. He then packed up some letters and newspapers, which he might peruse at leisure when at Mrs. B——n's, and bidding the coachman good night, we retired to a secluded spot, where we remained until morning, and instead of proceeding to the Western Tiers (as we informed the coachman it was our intention to do), we travelled through Lovely

Banks, and as we considered Mr. Bisdee one of the right sort of Englishman, and fearing that we might disturb his pheasants and partridges we let him off scot free, although Jones sadly wanted to let fly at a fallow deer that tossed his antlers and stared at us as we crossed the park. Passing Jerusalem, we struck off at Bagdad, and shortly after arrived safely at Cobb's Hill, where we experienced a heartier welcome than ever. Our friends could tell us all about our last exploit, the report having run along like wildfire that Cash had got the coachman, who was 2 hours behind his time, and this report was confirmed on his arrival at the different stations. The hue and cry being now raised, our enemies rushed from all directions into the District of Spring Hill, leaving us in peace and security, with nothing to trouble us, and our only consideration being how we could best enjoy ourselves. We despatched Mrs. B——n to Hobart Town for an abundant supply of everything needful, and she returned the same evening in company with my old friend "Vinegar Hill," as we familiarly termed the fiddler. He taught us on this occasion to dance the Bolero, which he represented as a Spanish dance, at the same time expressing his opinion that it was of Irish origin, as he never did hear of anything that was useful or ornamental that did not come from Ireland. I have rarely met a man who had more of his national characteristics than our musician. Mrs. B——n, who it appears had now no secrets from Jones, informed him that the last time Miss Ann B——n was in Hobart Town she met an acquaintance, an engineer in the old steamer "Derwent," running at that time from Hobart Town to New Norfolk, and while in conversation she informed him that Cash and his mates were in the habit of frequenting the house of her sister-in-law at the Dromedary. On hearing all the particulars he told her to come with him and state the same to the authorities. This she declined to do, begging of him at the same time to say nothing about the matter. He then promised silence upon one condition, namely, that she should swear never to mention the circumstance to any other person to which she gladly assented. This man was a perfect stranger to me, and I merely mention the circumstance to show the general feeling entertained by the public towards us, as he had not the slightest intention of giving the authorities any information respecting our whereabouts. I never had the pleasure of seeing him; but when I was in custody afterwards I accidentally heard that he regretted very much that I was taken, observing that he had saved me on one occasion. The person who mentioned the circumstance to me did not know the meaning of the observation, but I perfectly understood it. On hearing these particulars from Jones I judged that we had had a very narrow escape. I believe that she did not intend selling us, merely mentioning the circumstance in confidence to her companion. It gave me clearly to understand, however, that she was not to be depended on.

We remained at Cobb's Hill for the next three weeks, and our company having now nearly all left us, I began to feel an inclination to go in search of fresh adventures, and one evening, while in company with Mrs. B——n and Jones, I signified an intention of going to Bridgewater for some brandy, upon which occasion Mrs. B——n sarcastically observed that I was not game enough to make the attempt. Not appearing to notice her observation, I turned to her brother, and asked if he would come with me and carry the swag; and buttoning my coat, in order to conceal my pistols, we both started on our journey. While on the road, I came to the conclusion that I had no friend in Mrs. B——n, although quite at a loss to know the cause of her enmity, as I had always dealt very liberally with her and the family generally. It might have originated in the circumstance of my searching the bedroom whenever we visited the house, as the action implied a want of confidence. However, I was quite satisfied that she did not like me, and her remarks on the present occasion were made in a tone of derision that left no doubt on my mind as to the state of her feelings with regard to myself, as her last observation clearly implied a want of courage. I was therefore determined to show

her that indecision was not mixed up with my other bad qualities. We soon arrived at our destination, and on entering the inn found a number of persons drinking. As a curious coincidence, there happened to be a constable present also, but he did not appear to notice us. I called for four bottles of brandy, and two of port, the latter for the ladies, and having paid for it, my young mate tied them up in a handkerchief, and we both returned to our highland home without further molestation, and enjoyed ourselves up to a late hour of the night. For some time past Jones seemed to incorporate himself with the family, not at all appearing to think that he was an outlaw, with a price set upon his head; and I now determined that I would not be the first to apprise him of that disagreeable fact, not being at all satisfied at the manner in which he behaved latterly, as he appeared to reserve all his confidence for Mrs. B——n and her family, and the reader will see in the sequel what I had seen already, that his confidence was greatly misplaced, and was also the ultimate cause of his destruction. On one occasion, when speaking to him out of the old woman's presence, I told him to give her husband the four gold watches, a telescope, a number of silver spoons, which we had collected on our various expeditions, as some consideration for risking his liberty in affording us shelter. Jones appeared to be much gratified at this, and in the course of conversation regretted that I should be the cause of Miss Ann B——n going to reside with her father, Mrs. B——n having given him to understand that such were her intentions, and also that I was the person who advised the change with the view of shifting our quarters to the residence of her father, she being of opinion that wherever I put up would certainly be the head-quarters. I neither denied nor admitted that I was the cause of the separation, merely observing that of course the young lady would be guided by her own opinions on the matter. At this the conversation dropped, and we both returned to the house, where we found Mr. and Mrs. B——n, both of whom appeared to be rather out of temper, the former asking me, in a menacing tone, if I was going to take his sister away from the house. I answered that if his sister wished to go home to her father I could not see what I had to do with it. He replied that it had everything to do with him, observing that she should not leave, whereupon Mrs. B——n remarked that it would be more creditable for me if I would go to Hobart Town, and take my own wife, adding that many people believed that another person had taken my place. Her last observation stung me to madness, and I answered that she should not be the first to rake up the follies of her sex, and taking up my gun, I left the house. Jones followed me outside, and asked where I intended to go to. I could scarcely reply, but intimated that I intended to proceed to Hobart Town, upon which he coolly informed me that I should find him at the Dromedary on my return. Before leaving the house I took a bottle of brandy from a shelf, and as it was then getting late, I remained at a short distance from the house until daylight next morning, when I started for Hobart Town, and on my way I called upon the old man, who lived near the Crooked Billet, but before I arrived at the house, discharged my piece, and shortly after entered by the back door. The old man received me with every mark of friendship; and seeing that I was somewhat excited he enquired if there was anything the matter with me, observing that I appeared rather out of spirits. I replied that there was nothing whatever the matter, that I was merely going to Hobart Town on a little business, and would be back on the following day. He then pressed me to have some refreshment; but this I declined, at the same time requesting him to keep my piece until I should call for it on my return, and bidding him and the family good-bye, I continued my journey, crossing the Jordan River, and on to Restdown Ferry, until coming within a mile of Kangaroo Point, where I halted in order to examine my pistols, two brace of which I had in my belt. I found that the nipple of one of them was unserviceable, and not being able to repair the defect, I threw

it into the scrub, being of opinion that I had sufficient left to answer my purpose, and when it was quite dark I entered a public-house at Bellerive ; and the landlord having conducted me behind the bar where a brisk fire was burning, I asked him if he knew of a boatman that would put me across the ferry. Having replied in the affirmative, he sent a messenger, who shortly afterwards returned bringing a waterman, who offered to take me to the other side for three shillings and sixpence. I pretended to think that the fare was rather exorbitant ; but after some sham cavilling agreed to his terms. We then went down to the boat, when he and a boy pulled me across, and on landing at the Old Wharf I gave him a dollar as my fare for the passage. I then repaired to a shop in Liverpool-street, where I purchased a hat for a guinea, and in a few minutes afterwards called on my friend the fiddler, who appeared to be rather surprised at seeing me in the capital. After some refreshment I requested the pleasure of his company for a walk. My readers may feel surprised at my acting so imprudently ; I must therefore inform them that I intended to commit a crime which I ever regarded with the utmost abhorrence, and to which I was driven by the cruel taunt which I received from Mrs. B——n. The demon of jealousy had entered my soul, and I now shudder at the thoughts of the murder I then contemplated. I wrestled hard with my feelings, but the taunt rankled in my heart, setting my brain on fire. In a word, I had come to Hobart Town, fully intending to shoot my companion and her paramour.

CHAPTER VIII.

Far, far upon the plain,
A dust cloud marks the way,
Of the coward hearts whose blood should stain
The snow, where trophies grim remain—
Their dead lord and his warrior train,
Of that disastrous day.

The Capture.

When my old friend and I had got within a few yards of the Blue Bells of Scotland Inn, in Murray-street, I directed him to enquire where my companion resided, as I was anxious to see her. I knew that she lived somewhere in that locality, and having passed the before-mentioned Inn, we again returned and on meeting a man who was walking leisurely up the street, my friend asked him if he knew where Mrs. Cash lived. I still continued my route along the pathway; however, the man on pointing out the house to my friend, called to another man who was standing in the street, and exclaimed, "Tom, this is the party we are looking for," and both of them followed me at a sharp pace. My poor old friend on hearing the exclamation made his escape, and on seeing that they were trying to come up with me, I quickened my pace, and having observed this, one of them loudly exclaimed, "It's Cash, blow his — head off," discharging a pistol at the same time. I now ran at full speed down Murray-street turning into Melville-street, my pursuers still increasing in numbers, until the whole street joined in a general tally ho! I knew that I could keep my road clear, none of them could catch me, and taking a pistol in each hand continued my course down Melville-street, but instead of turning into Argyle-street as I should have done had I known the locality, I ran on until my further progress was stopped by Mr. Gunn's residence. On finding my error I quickly returned, and ran up Argyle-street; but my mistake gave my enemies a decided advantage as it caused me to lose more than two hundred yards. My pursuers were now considerably increased, and yelling and howling resounded on all sides, so that it was with difficulty that I made my way into Brisbane-street, owing to the great crowd of people before and behind me. Had I used my pistols I could have effectually cleared a passage; but I did not wish to shed blood until the last extremity. I contrived to make my way through the crowd without injuring any person until passing the Old Commodore Inn, where I was caught in the arms of a tall powerful man. I flung him from me like a herring, but on seeing him return to the charge a second time, and my pursuers getting close upon me, I fired, and my opponent fell mortally wounded, upon which I threw away the pistol, and pulled another from my belt. At this time the multitude was pressing upon me, when making a backward spring to clear myself from a grasp, I slipped and fell, and it was owing to this accident alone that I was captured, as the mob surrounded me before I could recover my feet. I believe I should have escaped afterwards, having wounded Cunliffe and shot the nose off Oldfield while on the ground, had it not been that my captors were now joined by the two constables who first gave the alarm, and who were armed with horse pistols, with the butt ends of which they beat me unmercifully on the head, while lying overpowered on the road metal, endeavouring if possible to kill me, as I still despite of numbers continued to resist. I could hear the voice of a female calling upon my assailants to desist, and shouting out that although they were 20 to one yet they

were still afraid of me. "Get off him, you cowardly dogs," she exclaimed, "you want to murder him; why don't you take him like men? There is enough of you to do that without killing him." At this time I became insensible, and cannot recollect anything more until I found myself in a lighted room, where a number of people were assembled. The lights danced before my eyes, but I was quite unconscious of what was taking place. It appears that I was then in the office at the Prisoners' Barracks, undergoing the process of identification, which was not a very easy matter, being so completely disfigured with cuts and bruises that my poor old mother had she been there would never have recognised her darling Martin. They jumped at conclusions, however, and kept me in safe custody until twelve o'clock that night, not wishing to take me through the streets while the inhabitants were astir, being apprehensive that there were some who might assist me in making my escape. I was then placed in a covered car and conveyed to the gaol, where I was delivered over to the care of that well-known and estimable gentleman, Mr. Capon, who had then filled the situation of gaoler for many years, and always universally respected for his kindness and humanity. My ideas were so confused that I could scarcely collect my thoughts sufficiently to understand my situation. On the following morning I was visited in my cell by Mr. Capon, who kindly asked me if I would have some tea, but I thankfully declined having anything. This was certainly a mark of kindness on his part, as the gaol dietary did not include the items of tea, sugar, or coffee. Shortly after his departure I was visited by the Reverend Father Therry, who was then renowned throughout all the Australian colonies for his unaffected piety, benevolence, and all other Christian virtues, and whose name will be remembered in Tasmania, when all other priests are forgotten. I revered the character of this gentleman but was not in a fit frame of mind to benefit by his counsel. He told me that the generality of the inhabitants sympathised with me, and that the town was in a ferment owing to the occurrences of the previous night. I forgot to mention that while in a state of unconsciousness my wounds had been dressed at the Prisoners' Barracks, and the good old gentleman on his visit counted nine gashes and plasters on my head. He then left me, promising to return shortly, and all this day I lay like a person entranced not tasting a morsel of food. On the following morning about nine o'clock, my cell door opened, and the far famed John P——e, of Norfolk Island celebrity appeared at the entrance in company with three others who had the appearance of gentlemen, but as very few of that class ever kept his company, I am rather inclined to think that they were only gentlemen by appearance. Mr. P——e, after staring at me for a minute or two, exclaimed, "Well, Martin, they have handled you rather roughly," I merely remarked that the times were pretty rough too. He then, thinking to find a soft place in me, abruptly observed that Winstanley was dead. This was the person I fired at when obstructing me on the road near the Old Commodore Inn on the night of my capture. On hearing this, I raised myself upon my elbows, and looking him steadily in the face remarked that I was very glad of it, and that the only thing I regretted was that I had not an opportunity of shooting all that were around me on that occasion, himself included. On hearing my reply he retreated a step or two from the door of my cell, and darting his glances at mine observed that he had come across a great many ruffians, but that a greater or more hardened scoundrel than myself he never was acquainted with. The cell door was then closed, and I was left to my own cogitations. In the course of the same day I was visited by my unfortunate companion in sorrow, Kavanagh, who appeared much affected on seeing me. Mr. Capon kindly permitted him to remain with me for a couple of hours, and when he was about to leave he remarked that he had never been deceived in me, being always of opinion that when circumstances brought me out, I would be found able and willing to meet them. I was very much rejoiced to see him, although we were both of us in a measure dead men, neither entertaining the slightest

hope of mercy, as each considered his doom sealed the moment he entered his cell.

On the following morning, enveloped in a flannel shirt and drawers, I was taken from my cell and assisted up stairs, on the landing of which I observed a number of people both male and female assembled, among whom I recognised Mr. P——e, who appeared in his capacity of coroner to hold the inquest on the body of poor Winstanley. I felt no way interested in the proceedings, although being the only person present they materially concerned. My attention was drawn to a young man, who I afterwards learned was a son of Mrs. Smith, the landlady of the Old Commodore. He swore positively that he saw me shoot Winstanley with a pistol about a foot long, and that he never lost sight of me afterwards until I had entered the prisoners' barracks in custody. It may appear rather singular that this same witness when subsequently examined at my trial did not appear to have the slightest knowledge of me, and refused to swear to my identity. At the conclusion of the proceedings, Mr. P——e delivered a very feeling address, stating that I had been found guilty of the murder of Constable Winstanley, for which he was about to commit me, and concluded by observing that I had another chance, which, in his opinion, was but a very poor one. He therefore begged of me to make the best possible use of the few days I had to live, as my trial would take place on the 4th of the month, and the meantime would leave me only two days to prepare for it. I was then re-conducted to my cell, where I found that celebrated barrister, Mr. Edward McDowell, who, in company with his brother, was waiting to see me. He regretted that my case admitted of no point in which he could assist me, observing that he would willingly do so if he thought for a moment that it would avail me anything, and in returning my grateful thanks, I remarked that the Government had some money of mine in their hands, and that I would much rather it was in his, although not expecting the slightest benefit from his advocacy, however talented he might be, being of the same opinion with himself, that my case was indeed hopeless. He replied that he might as well have the money as let it remain in the hands of the Government, and promised on leaving that he would defend me on my trial.

My cell at this time was literally thronged with delicacies, which had been sent to me by unknown parties, and I was given to understand that several influential persons in Hobart Town had formed themselves into a committee in order to subscribe towards my maintenance while in prison. The Rev. Father Therry visited me twice every day, and I felt much comforted by his conversation. On the day previous to my trial, I was taken, in company with Kavanagh, to the gaol lodge, and the latter being called in first was confronted by a lady and gentleman, who at once identified him. I was next called in, and presently found myself standing before Mr. Kerr and his lady, who both denied having ever seen me before. I could see a smile on the lady's countenance, and was perfectly satisfied that I was no stranger to her. I subsequently learned that her shortsightedness was occasioned by the fact of my preventing Jones from entering the room where her three sisters were in bed when at Mr. Kimberley's, she being a daughter to the latter gentleman. However, it could do me no service, but it nevertheless showed that they were willing to serve me when it lay in their power.

On the morning of my trial I had an early visit from the Rev. Mr. Therry, who administered all the consolation in his power, but I felt but little depressed, and at ten o'clock I was handcuffed and conducted from the gaol to the court-house, the street being so densely crowded with people, who were trying to catch a glimpse of me, that the constables and javelin men had the greatest difficulty in effecting a passage.

It is unnecessary for me to recapitulate what took place at my trial, as that is given in detail in the latter part of these memoirs. It lasted nearly

two days, and on being found guilty, I was put back for sentence. Although not superstitious, I shall ever remember a dream I had while waiting to hear my doom. I imagined that I was attacked by a large black snake, which I succeeded in destroying, after a most determined struggle, and I augured favourably from this dream, which caused me to think, for the first time since my incarceration, that my life might be spared. The following morning Kavanagh and I were handcuffed together, and taken over to the court-house to hear our sentences. Kavanagh being first called, was condemned to be executed, but it struck me at the time that his sentence would not be carried into effect by the manner in which he was addressed by the Judge, who on passing sentence upon me delivered himself as follows:—“You will be taken from hence to your cold, miserable cell, and there remain until Monday morning next, you will then be taken to the place of execution, where you shall be hanged by the neck until you are dead; after which your body will be cut down and delivered over to the surgeons for anatomization.” This was quite sufficient to dispel any illusions my dream might give rise to, but as I before observed, I was as free from superstition as if I had been born in the same town with John P——e in Cornwall.

The following day Mr. Capon told me to hold myself in readiness, as he had a notification that Captain Forster, the Comptroller-General of Convicts, was about to pay me a visit. I respectfully enquired if he knew the nature of that gentleman's business in paying me such an honour. He replied that he did not; but added that he considered it a mark of attention such as had never been shown to a prisoner before, and in about an hour after I was conducted to the presence of the Captain, who addressed me very mildly, and enquired if there was anything I wished for, as he would be happy to send me anything that might contribute to my comfort with the exception of ardent spirits. I thanked him for this mark of good feeling and condescension on his part, and stated that I had then everything I stood in need of; upon which he picked up his hat and left the office, which caused me to think that he was in some way offended as I did not accept his generous offer. The next day being the last that I had to live, Major Ainsworth, of Her Majesty's 51st K.O.L.I., called upon me, in company with Mr. Capon, and after expressing his regret at seeing me so situated, assured me that his visit on this occasion was not one of idle curiosity, but in consequence of a slanderous report that had been in circulation respecting himself and the party under his command when out in pursuit of me, to the effect that having timely notice they could have taken us at Mr. Hodgkinson's, if they were not afraid to come into collision with us. He therefore requested to know from me, in the presence of Mr. Capon, if I considered that they could have had time to come from Bagdad where they were stationed, after getting the information, or if we remained long enough on the premises for the party to reach us after learning of our whereabouts. I replied that I did not believe they could possibly reach Mr. Hodgkinson's in time to find us, and that we would be clear of Mr. Hodgkinson's premises before the party could receive any information respecting us, and that therefore there could not be any truth in the report. He appeared to be much pleased with my answer, and was about to take his leave when I good humouredly enquired what he thought would have been the result in case he and his party had overtaken mine. He hesitated a moment, and replied, “Well, Cash, I am aware that there would have been lives lost on both sides. I am sorry to see you so situated,” he continued, “and now I must say farewell.” He then turned to Mr. Capon, and asked if I was prohibited by the rules of the prison from receiving any necessaries that might contribute to my comfort. I thanked him and stated that I had everything I required. He then took his leave, and in a few minutes after I was visited by the Reverend Father Therry, who spent a few minutes in prayer, and afterwards informed me that I had ten days longer to live, as he had had an interview with His Excellency, whereon he informed him that I was not in

a fit state to die; and earnestly beseeching me to make good use of the short time allotted me, he left my cell with a promise to return on the following morning.

The door of my wretched cell had scarcely been closed, when it was again opened to admit Mr. Crouch, the Sheriff, who pathetically read my death warrant, and named the day on which I was to be executed. It appeared a most ominous looking document, having a large black seal affixed to the corner. Kavanagh had been now reprieved, and forwarded to the prisoners' barracks, but for some disrespect or insolence to Mr. Gunn, he was returned to the gaol on the following day. I was generally permitted to walk in the gaol yard for an hour every morning, during which time the windows of the debtors' prison, and those of the Colonial Secretary's office on the opposite side of the street, were crowded to excess, all gazers having their glasses levelled at me; and this continued in a greater or less degree the whole time I remained in the prison.

A day or two previous to that appointed for my execution, and when returning from the gaol-yard to my cell, on passing the cook-house, I overheard one of the prisoners telling some one to keep out of my sight; but the person spoken to was in no way deterred by the admonition, and having advanced to the door, disclosed the features of my old friend, Solomon Blay, the hangman. "Well, Martin," he exclaimed, "how are you getting on?" I replied that I was in the enjoyment of good health, and passed on to my cell, being perfectly aware that he was called down from Oatlands (where he permanently resided) for my especial benefit. On the same day I was again conducted from my cell to the lodge, as I imagined, to join the prisoners at prayer. On passing through I saw the Rev. Father Therry, who, putting up his hand as I passed, called on me to stop. He then told me that my life was saved, subject to Her Majesty's approval. I will not attempt to deny that I felt as if a heavy load had been lifted from my heart, and although not manifesting any sign of gratification at hearing the news, yet I felt very grateful, and I can never believe that any man who has been placed in the same situation would not have entertained the feelings that I did on that occasion. No man can have any just conception of the state of mind of the wretched culprit who knows and can reckon the fleeting hours he has to live, but the man who has been placed in similar circumstances. However I returned to my cell with a light heart and as much satisfaction as if it had been a palace.

Mr. Wm.* Gellibrand paid me a visit in a day or two after. (My readers will remember that I made this gentleman act as my guide when attacking the residence of Captain McKay.) He congratulated me on my respite, and expressed his readiness to serve me in any way he could. I thanked him for his kindness in coming to see me under such circumstances, and on my enquiring after the health of Captain McKay, we both had a good laugh, and here I would narrate rather an amusing occurrence or two connected with that adventure which I omitted to mention in my first account.

When Mr. Gellibrand was invited into the shepherd's hut the table was just laid for dinner, and as he was rather a good-looking young fellow—at that time at all events—Jones asked him to partake of the meal, enquiring in the same breath whether he preferred some of his own mutton to a platter of Mr. Jillett's eggs and bacon, quoting the legal axiom that "the receiver is worse than the thief," by way of a caution. Our guest chose his neighbour's pork nevertheless, and after a hearty repast we all started off for the residence of the gallant Captain. The chief incidents of this visit are already told with the exception of the part that now follows:—At that time masters found their prisoner servants in clothing, and Jones observing a strong pair of boots on one of the men proceeded to take possession of them. "What a cowardly

* Erroneously called Thomas in a former page.

scoundrel you must be, to rob a poor man of his boots," grinned the Captain. "Just so," replied Jones, "and especially since the master has such a stunning pair himself—off with 'em, old chap." "No, Sir—you vagabond—you villain—take them off yourself, you scoundrel, you—you—unchanged monster—I will not." Here Jones levelled his gun at the Captain's head, shouting out "Take them off, Captain, or I'll blow your brains out." But the Captain drew himself up with his arms a-kimbo in proud defiance, and this was the finest piece of pure courage I ever witnessed, for Jones's eye glanced fury and meant death. I was almost awe-stricken by the splendid figure of this proud old soldier, as he stood erect, and defied us both at the point of death for aught he knew to the contrary, and challenged Jones to "blaze away, you villain! blaze away! and let it be over." As I reached across to push the barrels aside I felt truly grieved that we had put such rare manliness and spirit to the test. Mr. Gellibrand, who was much more alarmed than the Captain, gasped out "H—h—h—hold on, Jones, if you're going to fire—h—h—h—hold on, old fellow, till I get out of the way—or you might hit me!" This interruption whether from the impulse of terror, or done as a joke, had a happy effect, for Jones burst into a fit of laughter, which saved the Captain's boots, and, perhaps, his life.

Before Mr. Gellibrand left the gaol I informed him where we hid the saddles, but regretted my inability to give him any information respecting the horses, as we had set them at liberty in the bush. He remained in my cell for nearly three hours, and on bidding me good-bye promised to pay me a second visit whenever business brought him to town. Scarcely a day passed that I did not receive a number of visitors, most of whom were perfectly unknown to me, but they must have been persons of some influence and standing in society, as a great number of the middle class in Hobart Town sought for admission and were refused. Provisions, groceries, and every necessary that I could desire were supplied me in abundance, and I still remain perfectly ignorant of the names of my benefactors.

When I had been about four weeks in captivity, I was conducted again to the lodge, and on entering the office I was accosted by a fine-looking old gentleman, who enquired if he could in any way serve me, at the same time asking me if I knew who addressed me. I answered that I believed I had the honour of speaking to Roderick O'Connor, from the Lake River, observing that I felt much gratified at receiving a visit from such an honourable gentleman, adding that I could not see in what way he could be of service to me, as my life had been spared, at least for the present; and in respect to my wants and requirements in the prison, I had all that I could desire, being liberally supplied by some unknown friends in Hobart Town. Upon hearing this, he exclaimed, "Well, Cash, I could not leave town without calling upon my countryman, and since you will not accept anything from me, I must bid you farewell," at the same time giving me his hand, which I felt was a mark of great condescension on his part, and on making his exit he told me to remain perfectly satisfied my life would be spared.

About this time a prisoner named Michael Ryan, who was then under sentence of transportation for life, four years to be served at Norfolk Island, made his escape from the gaol under the following circumstances. It appears that he had been employed as cook for the prisoners, and on the occasion in question he had entered the lamp-lighter's room, where he divested himself of his irons, and enveloped himself in the lamp-lighter's great coat and cap, at the same time taking the ladder on his shoulder, with which he marched past the soldiers' guard-room and afterwards passed a javelin man named Webb, who was stationed on duty at the gate. The latter thought it was the lamp-lighter and no other, and therefore permitted him to pass on. Having placed his ladder against the wall, he soon mounted to the top and jumped down on the other side, making his exit through a passage leading

out into Davey-street; but he was apprehended four days after, and on his return placed in heavy irons.

My supplies from town were now restricted by the gaol authorities to a weekly allowance of tea and sugar, together with a dinner (irrespective of prison fare) twice a day, and by-and-bye this indulgence was also discontinued, and I was shortly reduced to a state of starvation, as the gaol rations were issued on a very limited scale, being merely intended for prisoners remaining from session to session. I had been about five months in gaol, when a vessel arrived from England, having on board Bishop Willson and the Rev. Fathers Hall and Bond, who soon after their arrival paid me a visit, having heard a little of my history. On the following day the officers of the vessel, who on this occasion were all dressed in uniform, also came to have a look at me. I was highly amused on seeing them whispering to each other, still gazing at me with apparent wonder, evidently putting me down as something scarcely within the limits of humanity. I assured them that I was quite tame, and would not bite any of them, which elicited a laugh, and after examining me with great minuteness they made their exit.

I now found that my escape from Port Arthur was beginning to act upon the prisoners there, seven of whom had just made their escape to the mainland. They were pursued by the police and four of them soon captured, and the remaining three having got into the interior met with the police, and after exchanging shots they surrendered. About the same time six Sydney prisoners took their departure from the Peninsula in a bark canoe. On reaching the mainland, they proceeded by the East Coast, where they robbed the residence of Mr. Harrison; one of the party known by the sobriquet of "Nosey Daley," being shot dead by the inmates. However, Mr. John Evenden, with the assistance of the New South Wales' trackers and a party of police went out in pursuit of them, and on the third day he surprised them while asleep in the bush, and bravely captured the lot without the slightest resistance. Two of the party, named respectively Walker and Churchill, were executed, and the others were sent to Norfolk Island for ten years.

I was now removed from the condemned cell, and allowed the privilege of joining the Port Arthur prisoners, amongst whom was my mate, Kavanagh. I considered this a very great boon at the time, having been so long in solitary confinement. But as all my companions were soon after removed to Norfolk Island, I was obliged to return to my old habitation to muse on the charms of solitude.

When I had been about seven months in prison, my unfortunate mate, Jones, together with Mrs. B——n, and three other prisoners arrived at the gaol. I was permitted to see him a day or two after, and was sorry to find him in such a miserable condition, he having been quite blinded by the discharge of the gunshot of the constable, who captured him. He told me that after I had left him he took up a fresh position on the Dromedary, where he accidentally met with two wretched fellows, who had just absconded from a road gang, and on stating their intention to take up arms, he provided them with all they wanted, and formed a party, occasionally visiting Mrs. B——n's in order to deposit their booty until the last unfortunate affair, which ended in the capture of himself and one of his confederates, and the death of the other, he having been mortally wounded by one of the constables, and died soon after, but not before he had given information that they had been harboured by Mrs. B——n, who, at the time of the capture, was in their company, dressed in a blue serge shirt and black hat, but left the hut some short time before the attack was made, and on her return, the hut was immediately surrounded by the police, headed by Mr. William Morton, now of Westbury, who set it on fire, at the same time calling upon Jones and his party to surrender. Moore, one of the gang, crept outside the hut on his hands and knees, but was shot by one of the constables. Jones came out next, and received a heavy charge of shot in the

face, which deprived him of sight, but they did not fire at Platt (the name of his other companion), as they considered him harmless. They were all conveyed to Richmond, where Moore deposed before Major Schaw that they had been harboured by Mrs. B——n at the Dromedary. The police were at once despatched to Cobb's Hill, where they found watches and other property concealed in the thatch of the house. B——n was at once apprehended, but he and his wife were subsequently released. The man named Alder, who occupied the hut where Jones and his mates were captured, was sentenced to fourteen years' transportation, but he was also set at liberty soon afterwards. There were various rumours afloat as to the names of the parties who had betrayed Jones, some being of opinion that it was Alder, but from the fact of Mrs. B——n dressing in a blue shirt and black hat, and then leaving the hut for some short time previous to the attack, it was generally believed to be a preconcerted arrangement between herself and the police, especially as Miss Ann B——n and Mrs. B——n's sister subsequently formed a connection with two of the constables who effected the capture. Jones also informed me that some months previous to his being taken, Mrs. B——n's brother had an altercation with the family, and in a spirit of revenge, gave information to the Bridgewater police to the effect that he and his party frequented the house. Jones had a very narrow escape on that occasion, as some property had been found a little distance from the premises by the police, who instituted a search on receiving this information, and in consequence of which the B——ns were apprehended, but for want of sufficient evidence they were shortly afterwards discharged, and it was owing to this circumstance that Mrs. B——n was in company with Jones at the time of his apprehension, as he dared not visit her at her own residence since the before-mentioned occurrence. After hearing these particulars from my friend, I was informed by Mr. Capon that I might remain with him altogether if I wished, an offer which I gladly accepted, thinking it a great relief to have some person to converse with, after being so long immured in a solitary cell.

The public were under the impression that Jones was totally blind when he was executed, but this was not the case, as he previously informed me in confidence that the sight of one of his eyes was partially restored, but I was the only person who was aware of the fact. His trial, which took place in a few days after his apprehension, lasted the whole day, and at the conclusion of the evidence he was found guilty, and sentenced to death, and on being conducted back to the gaol, the Sheriff entered his cell and read his death warrant, which appeared rather ominous, causing me to think that he had very little to hope for in the way of mercy. I did not express this opinion, but on noticing a hair bracelet round his wrist, I begged of him to put it away from his sight, as it might distract his attention from matters of more importance. The Rev. Mr. Bedford called upon him the same evening, but on his respectfully telling that gentleman that he belonged to a different creed, he hastily withdrew. Later in the evening he was visited by the Rev. Father Therry, who remained with him the best part of the night, having baptised and christened him afresh under his own name, David Jones, as he had expressed his intention to die in the Roman Catholic faith. He was attended by the Rev. Mr. Therry up to the time the Sheriff demanded the body of George Jones from the gaolers, and on being given up, Solomon Blay slipped behind him, and tied his hands behind his back, with a strong piece of cord, and in a few moments afterwards my unhappy comrade in an eventful life was launched into eternity.

It was generally supposed that Jones would have been spared, had it not been that on one occasion when robbing a house in company with his new associates, he resorted to violence in tying one of the females and afterwards applying a red hot spade to her legs, in order to force her to confess in what part of the house the money was secreted; and from what I could glean from

his remarks while in the condemned cell, I was of opinion that he was instigated by Mrs. B——n to act as he did on that occasion, as it was she who informed him that the woman he treated with such cruelty was in possession of a large sum of money. I do not say this with the object of defending the conduct of Jones, who behaved both in a brutal and cowardly manner, but I merely wish to observe that he had been urged on by another to the commission of an offence for which, although not charged in the indictment, he forfeited his life.

After the execution I was again removed to the condemned cell where I was rigidly restricted to the gaol rations, some of my keepers having taken it into their heads that I was the cause of Jones's recantation, but in all truth I had nothing whatever to do with it. I forgot to mention that he had a gold ring on his finger, which the gaol authorities gave him permission to wear in prison. On the morning of his execution he gave it to a prisoner who had been appointed to wait upon him; at the same time making me a present of a small clasp comb. One day when I had been about fifteen months in this wretched and miserable place, and while exercising in the yard, I caught sight of Judge Montague entering the gaol lodge, and shortly afterwards I was called into his presence. As I entered he appeared to be adjusting some papers, and on looking at me, addressed me as follows:—“Cash, I have submitted your case for the merciful consideration of Her Majesty, who has been graciously pleased to commute your sentence to transportation for life.” I thanked him, and enquired if there was any definite period of imprisonment stated, and being answered in the negative, I was taken back to my cell, where I had leisure to contemplate the change that had taken place in my prospects, having been virtually under the sentence of death up to that time. I was therefore under the impression that I had been indebted to Judge Montague for the preservation of my life, but I am now aware that my life had been spared through the exertions of an able and talented gentleman named Mr. Robert Lathrop Murray the father of the late able member in our Parliament for Launceston, who was then proprietor and editor of a journal called the *Review*, and who, in one of his leading articles (written a few days after my condemnation, when it would appear absolutely ridiculous for any person to think for a moment that my life would have been spared) particularly addressed His Excellency Sir Eardley Wilmot, and through this powerful and unanswerable appeal in the cause of mercy, His Excellency was pleased to grant me a respite. During my career in the bush this gentleman never lost an opportunity of enlisting the sympathies of the public in behalf of our party; but under the rule of the then Governor, his arguments went for nothing, at least with the Executive, as both he and his journal were directly opposed to the general Government, and I believe instrumental in effecting a change of power. But under the new state of things his ingenious advocacy had nevertheless saved my life, and let me observe that his sentiments upon that, as upon every other subject which engaged his attention, reflect the highest honour on his memory, to which I now offer this humble tribute of earnest gratitude, snatched as I was by him from a premature grave in the midst of my sin and wickedness, and afforded an opportunity of making some slight atonement for my past transgressions.

A few days after being respited, I received orders to hold myself in readiness to proceed on board the “Governor Phillip,” brig, then lying in the harbour, and bound for Norfolk Island, being a place I very had often heard of, but never expected to see. On the following morning 24 of us unfortunate wretches were handcuffed together, and escorted by Mr. Chief Constable Morgan and a strong party of police, who marched us down Murray-street, and a few minutes afterwards we were safely stowed away in the hold of the vessel. We had scarcely been an hour in our new prison when the chief mate, a young gentleman who had but very recently arrived from

England, called me by name, and gave me some tobacco, remarking that from what he had heard and read, he was sorry to see me so situated, promising at the same time to do all in his power to lighten the rigours of my captivity during the passage. I expressed myself highly gratified in having his good opinion, and as I never contracted the habit of smoking,—and have not even yet, or I would have been killed long ago, as nearly all smokers are drinkers—I gave the tobacco to my mates, who had been listening to the conversation. Our vessel then glided down the beautiful Derwent, and the next morning we were lying in the harbour of Port Arthur, some of the prisoners being destined for that delightful and salubrious locality.

On landing our passengers we took in a few incorrigibles, who had passed through O'H. Booth's ordeal without manifesting any symptoms of amendment, and were therefore ordered to Norfolk Island, in the hope that the climate and rigorous measures adopted there might prove more efficacious than the flagellator's "cat" or "bread and water." The vessel lay in the harbour for the next two days, when all the necessary preparations for the passage being completed, we stood out to sea, and on losing sight of land the first mate appointed me as assistant cook, merely with the object of giving me the privilege of remaining on deck. We had some very remarkable characters on board, the greater part of whom had been trebly convicted, and few days had been passed on the ocean, when they planned the taking of the vessel, and the leader of the enterprise, a man named Doherty, requested my co-operation, but this I declined, at the same time intimating that I would offer no obstructions whatever, and that his secret was perfectly safe with me. He next wished me to provide him with a knife, which I told him was utterly impossible. On that night they succeeded in getting into the hold, from which they took a quantity of spirits, in which they indulged until their desire for liberty abated, and the guard, on finding that they were all dead drunk, placed them on the chain, which appeared to be a novel and very effective method of securing refractory prisoners. A large chain is connected with the windlass, the end of which is passed through the men's irons, and with a few turns of the windlass, the prisoners find themselves wound up with their heads on the boards and their heels in the air.

When making my appearance on deck on the following morning, I was accosted by the first mate, who informed me that in future I might sleep in the long boat, which I thought would appear rather suspicious to my fellow prisoners had any information been given of their designs to capture the vessel, but having betrayed themselves, they had no person else to blame. On the same evening, while on deck, and when all the other prisoners had been sent down below, the first mate, with a smile on his countenance, placed a paper in my hand, observing that it contained a brief account of some of my doings in Van Diemen's Land, and also that it was freely circulated through the colony, he having heard it sung a day or two after his arrival. Being curious to see in what manner my history would be represented, I repaired to the long boat, and what I read on that occasion I tremblingly lay before my readers. The composition is *not* Tennyson's, but in my opinion quite equal to anything in the "Holy Grail," nevertheless.

Come all you sons of Erin's Isle that love to hear your tuneful notes—

Remember William Wallace and Montrose of sweet Dundee—

Napoleon played his part : by treachery was undone—

The great Nelson, for England's glory, bled and nobly fought by sea—

And Wellington, old Erin's son, who Waterloo so bravely won,

When leading on his veteran troops, bold faced his daring foes—

But, Martin Cash of matchless fame, the bravest man that owns that name—

Is a valiant son of Erin, where the sprig of shamrock grows.

By treachery, as it is said, this hero to a gaol was led,

'T was Bedford who, in Campbell Town, had got him seven years,

Which sent him to the settlement in misery and discontent,

But soon he made his foes repent, as you shall quickly hear.

He left Port Arthur's cursed soil, saying, "No longer will I toil,"
 And soon he reached the Derwent's side in spite of all his foes.
 He made the settlers crouch in dread where'er that he showed his head ;
 This valiant son of Erin, where the sprig of shamrock grows.

It was once when near the Woolpack by enemies attacked ;
 The number being three to one, they thought their prize secure.
 But Martin to his piece did cling, and three of them did quickly wing,
 Saying, "Down! you cowardly dogs, or I nail you to the floor."
 It's loud for mercy they did cry, but no one came to their reply,
 While Martin, with a smiling eye, stood gazing at his foes.
 Then through the bush he took his way, and called on the settlers night and day.
 Did our valiant son of Erin, where the sprig of shamrock grows.

It was on the Salt Pan Plains he faced his enemies again.
 There were Sydney blacks and horse police, and well-trained soldiers too ;
 But at the time when they drew near, Cash hailed them loudly with a cheer,
 And let them have it left and right, his colours were true blue.
 Bravely did he stand his ground, the bullets flying thick around,
 And like a fearless general he faced his firing foes.
 "Surrender, Martin," loud they cry. "Never till the hour I die,"
 Said this valiant son of Erin, where the sprig of shamrock grows.

Brave Cash, not caring for his life, to Hobart came to see his wife.
 The constables who lay in wait cried, "Martin is in view ;"
 Some cowards tried to block his way, but one of them soon lifeless lay.
 Their numbers were increasing, and still did Cash pursue,
 And in the street a man rushed out, who tried to stop him in his route.
 But with a pistol in each hand he shot clean off his nose,
 "Surrender Cash!" was still their cry. "Never till the hour I die,"
 Said this gallant son of Erin, where the sprig of shamrock grows.

O'erpowered and wounded, bleeding, pale, the Bobbies walked him off to gaol,
 And when his trial was brought on some hundreds listened by ;
 And when the Judge, with panting breath, had told him to prepare for death,
 He calmly heard the sentence with a proud unflinching eye.
 We all have hopes that we shall see bold Martin yet at liberty,
 That shortly he will be as free as the ocean wind that blows.
 He's of a good old valiant race, there's no one can his name disgrace.
 He's a noble son of Erin, where the sprig of shamrock grows.

He's the bravest man that you could choose from Sydney men or Cockatoos,*
 And a gallant son of Erin, where the sprig of Shamrock grows.

Nothing further occurred that is worthy of remark until we reached our destination, when we were all marched up to the barrack yard, and some half-a-dozen of the leaders in the before-mentioned transaction at once picked out and sent to the gaol. On the arrival of Mr. Burgess from Hobart Town (that gentleman being sent down to adjudge their cases) they were all sentenced to transportation for life. These were the only prisoners on the island at that time whose sentences corresponded with my own. The preliminaries of issuing our clothing, numbering, taking our descriptions, having been gone through, we were conducted to the lumber yard, which was surrounded by a high wall, with a wooden building on one side, which was used as a mess room, and here I had the pleasure of meeting my old companion in arms Kavanagh.

*This name was applied to a body of desperate men, who were imprisoned on Cockatoo Island, Some very determined characters were to be found among this body, having while bushranging on the main land displayed both courage and intrepidity, and for which it was deemed necessary, for their greater security, to place them on Cockatoo Island, under a strong military guard.

CHAPTER IX.

“ Deprived of hope and freedom at a blow,
What has he left that he can yet forego ?
Yes, to deep sadness sullenly resigned ;
He feels his body's bondage in his mind, —
Puts off his generous nature, and to suit
His actions to his fate, puts on the brute.”

COWPER.

Norfolk Island.

I could see at a glance that the convict regulations were not strictly carried out, and also that a free and easy style pervaded the whole establishment. At meals the prisoners formed themselves into messes, having six men in each mess, but who the six were that constituted a company was purely a matter of chance, the men pairing off as fancy or inclination prompted. At the time of my arrival, there were about two thousand prisoners on the island, who were all in possession of gardens, which they were permitted to cultivate, having all the Saturdays throughout the year for the purpose. At six o'clock in the evening, we were marched in single file from the lumber yard, each man being searched on passing through a gate leading from the latter to the barracks, which was a large stone building, three stories high, with a wooden frame running down the sides, to which the hammocks were suspended. The lights in the dormitories were extinguished every night at eight o'clock, but I was much surprised to see that a number of the prisoners lit their candles, and after rigging up stalls with their blankets, they commenced to work, some at shoemaking, others tailoring ; in fact, each at his own particular trade or calling, which enabled them to procure a supply of tea and sugar, the *ne plus ultra* of a prisoner's comforts.

The following morning when the gangs were formed, I was told off to an old man named Dalton who was employed in the engineer department, and on taking me to the Military Barracks he told me to sit down and make myself comfortable. I did not well know what to make of this, and seeing him engaged in laying down some tiles, I offered to assist him in the work, but he said my help was quite unnecessary, as he did not intend to do very much himself. He worked for about an hour, and then knocked off. I found him to be a most ingenious character, having been at one time employed in cleaning and repairing watches, and at another mending umbrellas. He could also build ovens, set grates, &c., and in fact, could do almost anything. On seeing that this state of things was likely to continue, I procured some straw which I split when in the prison at night, and carried with me in the morning when going to my work. I was therefore employed the best part of each day in making hats and bonnets, for which I found a ready sale, in all quarters, and was soon enabled to contribute largely to the mess I was attached to.

I had not as yet spoken to Major Childs who was then Commandant of the Island. I believe he formerly held a commission in the Royal Marines, and distinguished himself on one occasion when leading a forlorn hope, and being a perfect gentleman, his government was carried out with mildness and humanity ; but it is a well authenticated fact that prisoners are proverbially ungrateful, and the better they were treated the more unmanageable they become, those under the rule of Major Childs considering themselves harshly treated, though at the same time there was an evident laxity of discipline, they being permitted in a measure to do and act as they pleased ; and this

state of things gave rise to an abomination that converted the Island into a very cesspool of crime and iniquity.

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When I had been about a fortnight on the Island, a most revolting murder was committed, for which two prisoners were executed. It appears that they had killed a sheep, and while carrying away the carcass were seen by a constable, who immediately went in pursuit of them, and on coming to a lonely place not far from the settlement, they halted until he came up, and having attacked and murdered him, they afterwards opened his body and placed a portion of the sheep in his stomach. It was a most horrible spectacle, and the perpetrators richly deserved their fate. Some thought, however, the majority of the prisoners included, that the murderers were still at large on the island, and that the men executed were innocent. Upon all occasions when prisoners were to be tried for capital offences, a commission had to be forwarded from Hobart Town, the island being then a dependency of the Government of Van Diemen's Land.

Mr. Honey was then Chief Constable, and was a most efficient officer. His constables were generally men who were undergoing probation, receiving no pay until their respective periods of probation expired. At that time, any prisoner who conducted himself properly could do so without the fear of getting trepanned or falsely accused, that system not yet being adopted, as the higher authorities would not countenance it, and from what observations my limited wanderings permitted me to make during my detention at Norfolk Island and other places of the sort, I came to the conclusion that the conduct of the prisoners, and the subordinates who were placed in charge of them, was all mainly influenced by the character of the ruler. As an illustration, the police, under the government of Major Childs, would not dare to bring a prisoner to Court on a false charge, knowing that it would not be entertained, and that in all probability their own dismissal would be the result; but under the rule of his successor the greater the villain the more he was favoured. "Set a thief to catch a thief" is an old proverb, and would be all very well if the real thief was caught, but I never could see the utility of bringing a man up and accusing him falsely, merely for the sake of having him punished, and this I knew to be done frequently under the management of P——e. I am premature, however, in introducing that gentleman to my readers, he not having as yet made his appearance on the Island, and for the sake of humanity it would have been a blessing if he never had.

The "Hydrabad," prison ship, having now arrived, bringing two hundred prisoners, the coxswain, Mr. Brown, together with the boat's crew, went off in the launch to bring the prisoners ashore. There happened to be a heavy ground swell at the time, and while crossing the bar Mr. Brown got foul of the steer oar, which carried him over the side, and he was never seen afterwards. He left a young wife and family on the Island, who all shortly after went to Sydney. I recollect an occurrence which took place at the time, and which appeared to me to be a very foolish one as the parties concerned had no hope of escaping detection. Three of the prisoners arranged to rob the coxswain's quarters, which were situated in the rear of the hospital. It appeared that the coxswain was absent, and that his wife who was at home knew all the parties. After having taken what they could lay their hands on, the coxswain's wife gave the alarm, and in a few minutes afterwards they were all captured, and the booty found in their possession. I had seen reckless and wanton proceedings on the part of prisoners when at Port Arthur, but in many cases they had something to urge in extenuation, being driven by starvation and tyranny to the commission of offences, but here they had no such excuses to offer, having every facility afforded them for providing themselves with plenty of vegetables in addition to their stipulated rations. There

were those, however, who preferred the proceeds of plunder to what they could easily obtain by a little industry, and as this party formed no inconsiderable body on the Island, there was scarcely a day passed without the record of a robbery. Even prisoners themselves were not exempt from their attack. A poor man named Hugh Barman, who was employed at Longridge, was on one occasion stuck up on the settlement and rifled of what little tobacco and money he had in his possession. He knew the men perfectly well, but would not bring them to justice.

When prisoners arrived from England they were fleeced of all superfluities in the shape of flannel shirts, handkerchiefs, stockings, by these marauders, who had no difficulty in finding a market in the military barracks for all such articles, and I very seldom saw any of the offenders brought to justice for their nefarious practices. We had a number of deaths on the Island, and I noticed that they were principally of new hands, dysentery being the prevailing epidemic, occasioned, as I imagined, by their eating too freely of the fruits which grew abundantly on the island, namely, guaves, bananas, plaintains, lemons, and wild grapes, all of which could be had in any quantity. It is rather remarkable that the old hands were not affected in the same manner, as I do not recollect a single instance where one of them died through the effects of climate, or any other cause whatever, save and except those who were placed at the immediate disposal of Mr. White, the then finisher of the law, whose professional practices of thinning off swelled the number of deaths in his line to a pretty respectable average of those occasioned by disease.

The climate is mild and genial, and according to experience varies but little throughout the year, the change of seasons being scarcely perceptible. Indian corn being the staple article of food for the prisoners, grows here luxuriantly, together with what they called sweet cakes, a species of yam very sweet and palatable in flavour. Lemons can be plucked all the year round, and the cape gooseberry grows to a prodigious size. It is unnecessary for me to give a description of the Island, as abler pens than mine have done so before. I may only, therefore, observe that there were no venomous reptiles to be found with the exception of those transmitted by the local government of Van Diemen's Land, who during my stay nearly overran the territory, and who exercised their deadly influence upon all who came in contact with them, they being guided by only one consideration, namely, how they could best please the Commandant. It is my firm impression that the Island was never intended for any other purpose but that of a watering station for shipping on their passage to the Antipodes, as abundance of springs trickle in every direction, but it appears that the Sydney Government thought otherwise when they selected it as a penal settlement, and I must confess that if the choice was made by the authorities in a spirit of vindictiveness and revenge, and with the view of crushing the hearts of those unfortunate wretches who left themselves open to the severities of the law, the locality was eminently calculated to answer the purposes intended, and instead of Norfolk Island it should under such circumstances have been named the "Island of Despair." I had now become a well-known character, and my hats and bonnets being in great demand, it was with the utmost difficulty I could fulfil the numerous orders which were daily pouring in upon me. This circumstance, as I before mentioned, enabled me to provide the mess to which I belonged with an abundance of tea, sugar, and other provisions, but as the conduct of some of my messmates did not accord with my notions of propriety, I casually stated my opinions to Kavanagh, who did not appear to coincide with me; but on the contrary, if I must say so, rather sided with the delinquents, upon which I left the mess, and I and my old friend Dalton formed a mess of our own. I did not do this on the impulse of the moment, having seen for some time back that Kavanagh was rather forgetting himself, and appeared to assume a tone of superiority over me, as on one occasion he observed

while in conversation that I was very well while in the bush under arms, but that at Norfolk Island I knew nothing. I certainly gave him the credit of knowing more of Norfolk Island tactics than I had inclination to learn, as he had been fourteen years on the Island before I made his acquaintance. On finding that he considered me in the light of a person who answered his purposes for the time being, I resolved to have no more to say to him, and only adopted this resolution when I found that it was absolutely necessary for my own interest. I earnestly remonstrated with him on the part he was taking in the wretched drama, and pointed out the disparity of our sentences, and also the probability that existed of his getting back to society; but it was all to no purpose. I generally received a rebuke for my proffered friendship, and therefore left him to himself. It has often since occurred to me as a rather singular fact that my two mates had been very unfortunate after our separation. Had Jones used more forbearance and continued to act as he had done while in my company, his life would have been spared; but on leaving me he gave way to the bent of his inclinations, and by illusing a woman, sealed his own fate. Kavanagh had now left me, but I will not anticipate events. I do not wish it to be supposed that I am trying to constitute myself the guardian of either of my mates, I merely mention circumstances as they occurred, leaving my readers to draw their own inferences.

The Executive Government in Van Diemen's Land having arrived at the conclusion that more stringent measures were necessary, in order to put a stop to crime which appeared to be on the increase at Norfolk Island, Mr. B——n was appointed resident magistrate, and shortly after arrived with his family. Some time subsequent to the arrival of this gentleman, it was quite apparent to everybody that Major Childs only took a secondary part in the Government of the Island, and this was exactly as it should have been, as this officer was altogether unfitted for the charge of prisoners, not possessing that firmness of character which was essentially necessary for such an undertaking. Mr. B——n, however, began at the beginning by classifying the prisoners, selecting the younger members and placing them in a separate sleeping apartment. He made other very judicious arrangements also, which caused a great deal of murmuring and discontent amongst the old hands. On one occasion, when visiting the works, he accosted me, and expressed himself highly gratified at the manner in which I had conducted myself since my arrival on the Island, at the same time asking me if I had any objection to sleep in the same apartment with the boys, remarking that he especially wished me to do so. I therefore reluctantly assented. He then informed me that he was well acquainted with my past history, having been out in pursuit of my party when in the bush in Van Diemen's Land. I was aware that my sleeping in the boys' apartment involved considerable difficulties and trouble, as it would in some measure render me responsible for any irregularities that might occur; but from the manner of Mr. B——n's address, I could not well refuse. However, he directed me to find another well-conducted man, who also should occupy the same apartment. There was no advantage attached to the change other than the privilege of drawing our rations weekly, and taking our meals in the overseers' quarters. In the course of a week, my young friends began to get restive, and refused to enter their sleeping apartments unless my assistant and myself were removed. I had occasion to rebuke them a night or two before, and it was this circumstance that caused the revolt. The chief constable and police were shortly on the ground, and when five or six of the ringleaders were taken to gaol, the remainder quietly entered their apartments. I resolved, however, to give up my guardianship on the first opportunity.

All the old Sydney overseers had now nearly disappeared, their situations being filled by men appointed by the Government of Van Diemen's Land, who were gradually preparing for the changes in contemplation, each

vessel that arrived from Hobart Town, bringing down a posse of overseers and constables. In a little time they were all new appointments, which proved advantageous to me, as the officers from Van Diemen's Land were to a man civil and considerate. Whenever an opportunity presented itself, I could in a measure act as I pleased ; but recollecting that nothing now but good conduct could ever restore me to my long-lost liberty, I continued to demean myself with the utmost circumspection, in the hope that, although the time appeared far distant, I might yet end my days amongst the purple mountains and green valleys of fair Tasmania. Many of my unfortunate class, however, knew nothing of liberty beyond the name, and were so inured and accustomed to chains, chain gangs, the triangles, and the lash, that I firmly believe they would not have been contented away from them.

Having now been twelve months on the Island, on the advice of Mr. B——n I was induced to forward a petition to His Excellency the Governor at Hobart Town, praying a mitigation of sentence. It was signed by the majority of the officers on the Island, Mr. B——n and Mr. R——n especially recommending me, on the ground that I did not participate in the conspiracy to take the ship when on our passage from Hobart Town. The next vessel that arrived put a stop to any hopes I might have had in that quarter, as it brought an answer to my petition, which informed me that I had no claim whatever to any such indulgence, and that I was not to trouble the authorities again. The greater number of the old hands were at this time in a state of mutiny, eyeing with a scowl the new rules as an infringement on what they considered to be their rights and privileges. Mr. B——n being the reported author of all the "new chum" regulations, as they were designated, came in for all the opprobrium, and had a very narrow escape on one occasion when visiting the gaol, being attacked by some three or four desperate characters, who would certainly have murdered him if the constables had not come to his assistance. This circumstance suggested the necessity of exercising more caution on his part in future, as well as to make him aware of the feelings of the prisoners towards him, and it was shortly after the last-named occurrence that the tragedy of the 4th July was enacted, and that under the following circumstances:—I have previously observed that a system of traffic had been carried out to a very great extent on the Island, and amongst other articles of commerce nearly every prisoner possessed a "billy" or tin kettle for the purpose of making tea. These kettles were made by prisoner mechanics, and were consequently considered by the owners as their own *bonâ fide* property, not having been served out to them by the Government. At night, when going to their sleeping apartments, these articles were generally left at the several mess tables, and on the night previous to the enactment of the tragedy, the constables, acting upon orders received, came down to the lumber yard in a body, and at one fell swoop cleared the mess room of all the saucepans and kettles not issued by the Government, and placed them in the stores for security. On the following morning, when the doors of the prison were unlocked, a strong party of prisoners, among whom was my old friend Kavanagh, broke open the door of the store and took possession of the tin kettles, but disturbed nothing else, although it appeared quite evident that the majority of the party did not intend to stop at this. However, everything appeared tranquil until after breakfast, when one of the party, named William Westwood, but better known by the sobriquet of "Jacky Jacky," headed a mob of some twenty prisoners, all of whom were armed with staves and bludgeons, and having entered the cook-house, Jacky killed a free overseer named Smith with a single blow of his cudgel, on which the gang again returned to the lumber yard, and in making their egress through a covered archway leading out to the mechanics' shops, where there was a watchman stationed on duty, Westwood, on passing the latter, spattered his brains against the brickwork, near which he had been sitting crouched and paralysed with fear. The next movement was

in the direction of the lime kiln huts, where some constables were stationed. Westwood having by this time exchanged his brain-spattered bludgeon for an axe, entered the hut and clove the skull of one of the constables, upon which another constable, who happened to be in bed and witnessed the occurrence, exclaimed, "Mind, I saw who did that." He had scarcely uttered the sentence, however, when Westwood struck him down to the earth, and afterwards literally cut him into pieces. The party then returned to the lumber yard, and within a few minutes Westwood and some others of his gang were taken to the gaol by the military. While the murderers were at the lime-kiln huts, another party, headed by a stone-cutter named Thomas Mason, entered the overseer's cabin, where I happened to be at breakfast, in company with a man named Fitzgerald, who was then master tailor on the Island. They abused and ill-treated several of the sub-overseers, but I could see that murder was not intended, their principal object being to find a character known as "Dog Brown," and who, during their search, had concealed himself beneath the table, which was covered over with bags. Had they found him, I believe they would have killed him, but he was fortunate enough to elude their search by hiding himself under a bag of potatoes, which rested upon his back as he stooped, and against the edge of the table. After this they returned to the lumber yard. In explanation of the above occurrences, I must first say that the men who followed Westwood had not the slightest conception that their leader meditated anything further than the chastisement of a few of the "old dogs," as they termed the prisoners who were placed over them as flagellators, constables, and watchmen, but, no doubt, Westwood contemplated murder from the first, although he did not state his intention to his followers, who, from their being in his company at the time, were placed in the same position as the ringleader. Jacky Jacky was, generally speaking, a quiet inoffensive man, but he had previously been under arms in the bush in New South Wales for which he had been transported to Van Diemen's Land, and while at Glenorchy (a prison depôt there) he again took to the bush, but was soon apprehended, and transported to Norfolk Island for ten years. All his acquaintances believed him to be tired of his life, and the terrible circumstances just narrated prove not only that fact, but that he had been flogged, goaded, and tantalised till he was reduced to a lunatic and a savage.

The overseer named Smith, who was killed in the cook-house, left a wife and family on the Island. Morris, who fell at the gate, had timely notice given him to get out of the way, but it has been currently reported that he became so terrified on hearing of his danger, that his legs refused their office. He was a native of Launceston, in England, and had been a convict overseer at Port Arthur, where he rendered himself notorious for his cruelty and treachery to prisoners. His appearance was not very prepossessing—in fact he was a constable all over. Westwood was now in gaol, after committing four deliberate murders, and his wretched partisans were in the same predicament as himself. At his execution the only thing he expressed any regret for was the killing of the constable in the bed, who by his unguarded remark had sealed his own fate.

In about an hour after the murders were made known, Mr. Bolt, the superintendent, and a party of constables entered the sub-overseers' hut, and addressing me, enquired if I knew any of the party who had ill-treated the officers. I replied in the negative, adding that having kept my head down, expecting every moment to be killed, I had not an opportunity of seeing any of the party. He seemed to be a little incensed on hearing my reply, observing that in that case I had very little business there. He next enquired of Fitzgerald, but was again unsuccessful. By-and-bye, however, we saw five or six new visitors, whom I concluded had given information as to the parties concerned in the outbreak. In consequence of the suspicion of the prisoners resting upon them, they were sent to the sub-overseers' quarters

for protection, and subsequently to a hut facing the military barracks, the latter being surrounded by a strong stockade, and here they remained until a special commission arrived from Hobart Town, directing the trial of Westwood and his unfortunate companions for the crimes they had committed.

During the next few days there were nearly two hundred men confined in the gaol and boat-house shed, on suspicion of being concerned in the murders, but they were all subsequently released, with the exception of twelve, one of whom was my old friend Kavanagh. He had taken no part in this outrage, being down at a creek in the rear of the lumber yard at the time of the occurrence. He was accused by a prisoner known on the Island as "Dog Kelly," from whose cap Kavanagh had snatched a shamrock on St. Patrick's Day, at the same time saying he was a murderer and a disgrace to his country, and therefore unfitted to wear the national emblem. Kelly inwardly vowed vengeance, and took advantage of the opportunity now offered to resent the insult, which rancoured in his mind, by swearing that Kavanagh was one of Westwood's party. At this time an innocent man was just as likely to suffer as a guilty one, but in this instance Kavanagh brought the punishment upon himself by his overbearing manner, which eventually was the cause of his untimely death. When the report of the massacre was first circulated throughout the settlement, it was generally supposed that I was the leader of the party, and when it was known that I had nothing to do with the affair, the free inhabitants seemed to be much gratified. I was under no apprehension of being falsely accused, as I never interfered with any of my fellow prisoners or their concerns.

A prisoner named Henry Edmunds was the sole originator of the outbreak, for by his speeches he excited the minds of the men, and then left them to perform the work of death, being too cunning to take a part in it himself. He was one of those afterwards taken on suspicion, but was subsequently released. I mention this to show that such men as Edmunds are as much to be dreaded as the misguided wretches who acted upon his counsel. There were many men of his stamp then on the Island, to whose baneful influences may be safely attributed the prevalence of crime then existing, while they in every instance contrived to keep out of harm's way. While these dreadful occurrences were taking place, and before any account of them could reach Hobart Town, Mr. Burgess, the chief police magistrate, and one of the rare type of the fine old English gentleman, arrived for the purpose of adjudicating on several crimes and misdemeanours—amongst others charges for attempting to take the launch, and others that need not be mentioned. At this time there were men awaiting trial who had taken to the bush on the Island, and upon whose heads prices had been put, while constables were ordered to shoot them down whenever or wherever they could. In all there was a very heavy calendar. One of the young fellows charged with attempting to take the launch, and rather an extraordinary character, and known amongst us as Jemmy H——n, was a stripling above the middle height, and about eighteen years of age. On the occasion in question, he evinced both courage and determination, for although the rest of the gang, on being charged by the police, at once gave themselves up, before H——n was vanquished he left one constable to be carried off the field and nearly disabled another, and had but two or three more of the party shown the same courage, they would certainly have effected their escape from the Island. As the reader may probably feel interested in the fate of poor H——n, it will be necessary to say that he was sentenced to three years in heavy irons in the gaol, every third month of which he was to remain in solitary confinement under the awful silent system. I was sorry for him, as he always bore the character of a manly, generous, and well behaved young man in every respect. He afterwards conducted himself remarkably well, and so much so, that at the expiration of his sentence he was forwarded to Hobart Town, where he now resides with a wife and family, and although in humble cir-

cumstances, he is yet much respected by all who know him. Mr. Burgess soon disposed of all the cases on the calendar, with the exception of the parties concerned in the recent murders, with whom he would not interfere, the case being beyond his jurisdiction. They had therefore to await the arrival of a fresh commission, a period of three months, at which time Valentine Fleming, Esq. (our late Chief Justice), together with Fielding Browne, Esq., Barrister-at-Law, arrived on the island—the latter in the capacity of Judge and the former as Attorney-General of Her Majesty the Queen.

The cells in the gaol were at this time very much crowded, in consequence of which a young man under twenty, who had been confined for quarrelling with his fellow-prisoner, was placed in a cell in company with one of Westwood's party, known by the sobriquet of the "Donkey," an old hand from Port Arthur. However, in the evening, when the wardsman arrived with the supper, on the cell door being opened, "Donkey" told the constable to come and take this fellow (meaning his companion) out of the cell as he was gammoning dead. On examination, life was found to be extinct, he having been strangled by Donkey. The body was removed to the hospital, and buried the next morning, the case not being investigated, as the charge already preferred against Donkey, if proved, was quite sufficient to bring him under the care of Mr. White, who never permitted any of his customers to complain of any remissness in attention on his part. I was now appointed to take charge of the tools belonging to the Engineer Department, and one day happened to be standing in company with some masons who were employed in erecting a new blacksmith's shop, when Westwood and his mates passed us on their way to the Court-house. Kavanagh, who was one of the party, sarcastically exclaimed, "Martin, they have got you," implying by that observation that I had become a tool in the hands of the Government officers. My readers may not understand the drift of his observation; but in the presence of prisoners it had a very injurious tendency. Westwood rebuked him for the remark, and one of the masons replied that if they had not got me they had him safe enough. The gang then passed on. I felt much hurt at Kavanagh's speech, although pitying him, knowing him to be innocent of what he was charged. As all prisoners but those connected with the cases about to be tried, were strictly prohibited from entering the Court, I had no opportunity of hearing anything that transpired. Westwood and his associates, however, were all found guilty, as might have been expected, and finally sentenced to death. The Catholic minister, the Rev. Mr. Bond, came down in the vessel that brought the Commissioners, as if to await the work of the judges, and attend the condemned belonging to his own creed until their execution took place. I was never of a religious turn, and it may seem unnecessary to make the observation here, as my previous history would afford sufficient proof of the fact, but having had an opportunity of conversing with the rev. gentleman before mentioned, I was much prepossessed in his favour, not perhaps altogether in a spiritual sense, but from his manly bearing. I afterwards learned that he was universally beloved by persons of all denominations in Hobart Town, and in fact wherever he had resided in the colony.

Mr. R——s was the Church of England minister, and on his first arrival he appeared to be hostile to prisoners, but afterwards became their mediator; and when visiting them in the cells, he has been known to bring them provisions in the crown of his hat. His generosity was afterwards employed as a weapon to destroy him, and the prisoners whom he assisted were the parties who furnished Mr. John P——e with information.

Time passed with its usual monotony until the vessel arrived bringing the expected death warrants, Westwood and his companions having had to remain under sentence of death until the same was approved of by the Executive Council at Hobart Town. Mr. John P——e was a passenger in this vessel, he having been appointed as Commandant of the Island in the place of Major Childs.

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The new Governor was accompanied by Mr. H—y, who afterwards became of some celebrity, and several other officers and constables, all of whom were chosen by himself, and after having taken up his vice-regal quarters at Government House, a part of which was still occupied by Major Childs, he spent the next few days in taking observations, minutely inspecting all the buildings, and otherwise making himself acquainted with all particulars relative to the establishment. I noticed that he was not accompanied by Major Childs, a circumstance that did not strike me as at all remarkable, but of which I would have thought very differently had it been otherwise. The arrival of this official on the Island was a death blow to all hope of regaining my liberty by good conduct, for his fame had already preceded him. I dreaded the consequences of the remarks I had made when he visited me in the cells, and apprised me of the death of Winstanley. I made up my mind, however, to meet the impending trouble, and bear it as well as I could for I so piningly longed for freedom, that I determined to put up with anything in order to obtain it.

The death warrants of the murderers having been read, and the morning appointed for their execution, Kavanagh expressed a wish to see me. I found him and another condemned prisoner in company with the Rev. Mr. Bond. On seeing me he held out his hand, appearing to be completely overcome, and asked my forgiveness for the offensive remarks he had made to me at the time of his arrest. He also observed that had he taken my advice, it would have saved him from an ignominious death upon the scaffold, adding that although he was entirely innocent of the crime for which he was about to die, yet his conduct through life in other respects had been such as his impending fate alone could punish. On seeing my only remaining comrade in such a situation, a thousand reminiscences of by-gone days came over me, and I felt much affected. I remained with him until receiving a hint from Mr. Bond that he wished me to retire, and having bade a last farewell to my old companion in many a peril, I returned to the barracks much depressed in spirits, and with a feeling of loneliness I can hardly describe, not knowing how soon I might be in a like position.

On the following morning, twelve souls were launched into eternity!—eleven of whom were morally innocent of the crimes imputed to them, they being only in company with Westwood at the time the murders were committed. It was currently reported that on seeing them executed, John P—e remarked that he never saw the ends of justice so well satisfied. Shortly after the execution, three bullock drays emerged from the gaol yard, each bearing four coffins, which were all placed in one grave outside the burial ground, as the new Commandant would not permit them to be buried in consecrated ground. The whole of the prisoners on the settlement were kept in the lumber yard on that morning, they not being permitted to go to work until the bodies were buried.

The vessel bearing away with our old and humane commandant, Major Childs, and Mr. B—n on board, Mr. P—e assumed office, and contrary to my expectation for the first month or two he exercised his duties with apparent mildness, but the generality of the prisoners knew his kindness was assumed, and consequently the storm which afterwards broke did not come unexpectedly, all hands being fully prepared to see him throw off his disguise, and appear in his true colours. I now began to feel the effects of Mr. P—e's government, having received orders from the chief constable to do away with all paraphernalia for making hats and bonnets, at the same time being forbidden to make any in future. Before, however, I could get them removed, they were seized by the constables, but what was afterwards done with them I dared not enquire. A day or two after, while passing through the prison gate, I met Mr. P—e with two or three military officers, and after staring at me a moment through his glass, he exclaimed, "Well, Martin, how are you?" to which I gave him a very respectful answer. "By-

the-bye, Martin," he again observed, "you look very well, but it appears to me that you have got very stout since I last saw you in town. Let me see what you have got about you." He then stepped forward, and ran his hands down my sides, in order to ascertain if I had anything concealed on my person. I do not know what the military officers thought about this proceeding, or how they felt on seeing the chief officer on the Island performing the duties of a prisoner constable, but as I knew him well, by report and otherwise, I was at no loss to understand his motive, which was simply to show himself off as a "fly" man. I could see that the gentlemen with him did not approve of the proceeding, and had it been any of the other prisoners who had not had the misfortune to earn such an unenviable notoriety as myself, he might have let him pass, but as it was, he thought he would show his friends with what impunity he could handle and insult the notorious bushranger, Martin Cash. They all passed on, however, and I thought that this circumstance, occurring, as it did at our first meeting, looked rather ominous. I still continued, whenever I had an opportunity, to work at the hat making, resolving to have a little tea and sugar if I could possibly get it; and having made a hat for one of Mr. Aaron P——e's children, a day or two after I was taken into custody and charged with the offence, under the following circumstances: While attending the masons, who were then building a wall round the gaol, Mr. P——e came up, and after examining the work, he addressed me as follows: "Well, Martin, how are you getting on?" to which I replied, "Very well, thank you, sir," in the humblest manner I could affect, as I could see a demoniac smile playing on his countenance. "I'm very glad to hear it. When did you make that hat for Mrs. P——e?" I denied having ever made one for that lady. "Now, Martin," he continued, "I know you have, and if you admit having done so, you can retain your billet." I still, however, denied having any knowledge of the circumstance, upon which he called a constable and ordered him to take me to the gaol, and on the constable enquiring upon what charge, he replied, "Disobedience of orders, in making straw hats." I was then delivered up to the care of Mr. Honey, but very soon after was conducted to the office and charged by Mr. B——k, with having made a straw hat for Mrs. A—— P——e, contrary to orders. I pleaded not guilty, upon which Mr. P——e ordered a man named Barrett to be called in. This was exactly what I wanted, being curious to know my overseer. Barrett swore that I had made a hat for Mrs. P——e, and also at what time I had done so, but beyond this he was not troubled with many questions. I asked to have the hat produced, but the Commandant observed that it was not necessary, and waving his hand said, "That will do, Martin, you shall have four months in irons in the gaol gang!" I was then taken back to the gaoler, who, after stripping me of my grey clothing, gave me a suit of flannel and a set of heavy irons in lieu thereof.

As the gaol gang had been made up principally since the arrival of Mr. P——e, it was composed of the strongest and ablest men upon the Island, and all nearly old hands, it being his intention to place those he imagined had the power to be troublesome within the limits of the gaol, which movement would render it almost impossible for any of them to injure him. The gang was principally employed in building a reef in the sea, and the men worked up to their arm-pits in water, at the same time wearing several feet of heavy metal. On being dressed, I requested to see the Doctor, who was a great "martinet," and much dreaded by the prisoners. I informed him that on account of the wounds I had received when in Van Diemen's Land, I did not consider myself able to work in the water. He examined me, and gave the constable who had charge of me a ticket, on which were written the words "permanent light labour." I was then reconducted to the gaol gang, and on Mr. P——e (who was in charge) receiving the ticket, he placed me on the stone heap to break stones. I would here wish to say a few words respecting

my prosecutor Barrett and Mr. Aaron P——e. The latter was the oldest officer on the Island, and was then overseer in the engineer department. The former was a prisoner whom he had taken under his protection, and whom he kept at his own quarters. It appears that Mrs. P——e, who was a kind charitable woman and friend to the prisoners, had offended Barrett, who had consequently adopted this plan in order to have his revenge. He never imagined that he would have to appear at the office, as the new Commandant had established a system of receiving private information, without disclosing the names of his informants, but in my case he was obliged to depart from his usual caution, there being no other person to prosecute. Barrett, therefore, injured himself more than he did me, for having before borne the character of what they termed a good man he now appeared in his true colours in the eyes of his fellow prisoners, with whom he was obliged to associate. Mr. Aaron P——e also banished him from his quarters. Had I made any admissions on my trial, John P——e intended that I should prosecute Mrs. Aaron P——e, who would have been expelled the service, but I preferred four months in the gaol gang, or four years, had it been necessary, rather than commit an act of ingratitude. I had scarcely been an hour on the stone heap, when the Commandant and his secretary visited the works. While passing, the former glared fiercely at me, but did not speak. On returning, however, he halted, and observed that I was not the man they talked so much about in Van Diemen's Land. He delivered his words in a low, contemptuous tone. When he had finished I looked up, and replied in as nearly as possible the same tone that if he would give me one of the pistols which he wore in his belt, I'd run him into the sea. He made no reply, but returned to the gaol and gave orders to have the heaviest pair of irons which could be found on the Island put on me. When I returned to dinner on reaching the gaol I found a blacksmith with him, hammer and anvil in readiness, and in a few minutes I was invested with the largest pair of leg ornaments I ever saw, the bazil which encircled each limb being thicker than a man's arm, and the links of the chain of nearly equal proportions, and although I was then as strong and vigorous as most men, I experienced the greatest difficulty in moving my feet from the ground, and being obliged to wear them in bed, I felt as if my feet were riveted to the boards. At work I did not feel so much inconvenience, for being then in a sitting posture I could rest the irons on the ground. After having worn them eleven days Mr. P——e paid me another visit, appearing on this occasion to be much altered in his manner towards me. He enquired how long I had been wearing the irons, and on being informed, he said, "Well, Martin, you must wear them fourteen days, and then you can have your 'trumpeters' again." Three days after I was relieved of my heavy encumbrances, on which I found some difficulty in preserving my equilibrium, feeling, when walking, as if I should lose my balance, and topple over. Fourteen days after I was divested of my trumpeter irons also, and a lighter pair substituted.

A month having now elapsed since the occurrences above narrated, I was again taken to the hospital with Mr. P——e's compliments to Mr. Everett, requesting to know if I was fit for hard labour, and the doctor seeming very indignant, tartly replied that I was not. I was therefore returned to the stone heap, the constable observing that he was happy to see that I bested John again. The doctor had some time previously given the prisoners permission to wear straw hats, that is to say, those who could procure them; in consequence of which they were allowed to assist each other in this respect, having straw furnished them for the purpose of manufacturing the articles. My leisure hours were employed, when in my cell, in plaiting and making hats for some of my companions, and it happened that I was so engaged on Easter Sunday when the Commandant, accompanied by H——y, the gaoler, walked silently up to the door of my cell, I supposed with the view of catching me plaiting on the Sabbath, which offence would give the tyrant an opportunity of pro-

longing my stay in the gaol gang. On hearing a slight noise outside, I concealed my work, and had scarcely time to do this before Mr. P——e entered my cell and addressing me in the usual manner, exclaimed, “Well, Martin, I see you have been plaiting,” and when I denied the impeachment, he added, “Well, Martin, if I had found you plaiting, I’d tell Father Murphy about you.” This was a Roman Catholic chaplain, who had recently arrived at the Island; however, I considered that I had had a narrow escape, as, notwithstanding all his seeming indifference, I fully believed that his object in visiting the gaol, was to try and catch me hat making against orders in my cell.

The gaol and officers’ quarters were now completed—the whole being surrounded by a wall fifteen feet high, and forming a separate establishment. There was a row of cells in one of the gaol yards, where the light of day never entered, and here were placed all those who came under the displeasure of the Commandant. Major Childs had none of those advantages to assist him in carrying out his measures, and therefore could not be expected to keep the prisoners under the same subjection as his successor, who had every facility afforded by the Government for maintaining discipline and enforcing good order. And what was the result? Were the prisoners under his charge more orderly, moral, or industrious, after being subjected to cruelties which have never yet been fully understood by the public? On the contrary, the men became more hardened and depraved than before, and the fair island of Tasmania has had sad experience of the effects of the new discipline, by the many brutal murders which have since been committed there by men, who for years had been subject to a maddening system of torture, and thereby changed into demons in human shape. As an illustration, I have only to mention the name of Rocky Whelan, whom I had often conversed with on the Island. This man was a native of the County of Wexford, and knew me at home when a boy. He informed me that he had been seventeen years on the Island, and had not the slightest hope of ever leaving it; but his trials were only then about to commence, as the next time I saw him he was handcuffed to a lamp-post, with his hands tied behind his back, and a gag in his mouth, and secured round his head by something resembling a head stall, and there he remained, exposed to the burning sun, and the attacks of flies and other insects for eight hours, merely for having a bit of tobacco in his possession. Besides this treatment, Whelan had been repeatedly flogged, imprisoned in the dark cells with the black gag—a favourable instrument of torture at that time—in his mouth, for eight consecutive hours at a stretch, it being the opinion of the doctor that this punishment could not be applied for a longer period without endangering the life of the prisoner. This gag was generally inflicted for some disrespect, whether real or imaginary, on the part of the prisoner towards the officials when on their tour of inspection round the solitary cells. Whelan had been reduced to a skeleton, and the wounds on his back rarely had time to heal, before being opened afresh by the flagellator, and all for some trivial offence, such as I have mentioned above; and under this treatment he had finally become so callous and hardened, that he seemed to regard the lash, the dark cells, and all the rest of P——’s contrivances with the most perfect indifference. He remained on the Island until the establishment was broken up, from whence he was afterwards removed to Port Arthur, in order to fit him for other society. At the expiration of eighteen months, he was discharged to Hobart Town. It is unnecessary for me to say anything more respecting this character, as the public of Tasmania are already but too well-acquainted with his subsequent dreadful history. I could mention many other instances of the fatal effects of the new discipline on men who had been brought under its operation and who ultimately finished their career on the scaffold, but I will content myself with enumerating a few victims, the foremost of whom will be Thomas Williams, stone mason, who happened on one occasion to be called upon by

a fellow prisoner to give evidence in a case. On being required to take the oath he refused, for which the Commandant sentenced him to fourteen days' solitary confinement. At the expiration of his sentence, he was again brought to the office, when he again refused to swear, for which he received a similar punishment. At the completion of his second sentence he was a third time presented with the book with the like result, and again conducted to his cell for the usual term of fourteen days. This was repeated a fourth time, and the sentence had all but expired, when it was discovered that the poor fellow was in a dying state, and had to be conveyed to the hospital. I may here observe that convict officers in meting out sentences of solitary confinement, are restricted by medical authority from passing a longer sentence than thirty days, it being the opinion of the faculty, that anything beyond that period would endanger life. In this case, however, the rule was not transgressed, as the prisoner was only sentenced to fourteen days on each occasion, although he had been virtually undergoing the rigours of solitary confinement for nearly fifty-six days without intermission, being taken to hospital merely one day previous to the completion of his last sentence. After some care on the part of the doctor, he recruited a little, and was shortly discharged from hospital, returning to the settlement in charge of a constable, who had instructions to bring him at once to the office, where he was once more tendered the Bible, but still refused to take the oath, for which he was again placed in the cell, where he remained for a period of forty-two days consecutively, having received three sentences to make up the time. He was again handed over to the doctors, but, if possible, in a much more dangerous condition than before; yet, kind treatment and suitable food brought him round, and when discharged he was once more put in the witness box, but he still remained inflexible. The same thing was repeated, and the doctor's aid was again required to restore his patient to life on this third occasion; and Williams still persisting in his refusal to take the oath, was again placed in a living tomb. At this time, he had become so completely enfeebled that it was generally thought his last sentence would save the doctor any further trouble. Mr. P——e now paid him a visit, and having remonstrated with him on his obstinacy, Williams at length yielded, and took the required oath, upon which he was released, Mr. P——e observing that "that was all he wanted." The extraordinary spirit of determination evinced by Williams was worthy of a better cause, but he was dealing with a man who had no mercy, and who would not have hesitated to sacrifice his own life, rather than be "bested," as he was wont to express himself.

The next case is that of a prisoner named George Strong or Armstrong, better known at Norfolk Island as "Dubbo," who, for refusing to work, was sentenced to fifty lashes, after receiving which he was sent to his gang, but resolutely declining to soil his fingers for the future, he was at once taken back to the cell, and on the following morning sentenced to fifty lashes more, which were there and then administered. Dubbo still unflinchingly held out, and he was flogged so repeatedly that at length the Doctor interposed, declaring that the man was not in a fit state to receive corporal punishment. Dubbo, after maintaining his ground for some considerable time, during which he suffered all the horrors of martyrdom, was at last obliged to strike his colours. This he did under the following punishment:—A large grindstone was placed in the gaol yard with handles at each side, by which it was turned. Dubbo had his hand secured to one of these handles on the other side, and by so doing of course the handle to which Dubbo's hand was attached would revolve with the action of the other, the movement on the prisoner's part being purely involuntary while this piece of mechanism was at work. The Commandant happening to pass, observed to Dubbo that he was not such a pebble as people appeared to think, pointing to his hand which was then making involuntary evolutions; but Dubbo reminded him that it was the gentleman on the opposite side that

were doing all the work. He was next employed in grinding Cayenne pepper, but this was before he capitulated. This punishment was dreaded more by the prisoners than any other. Dubbo, however, continued to work the pepper mill for three months, at the expiration of which time he supplicated for mercy, and was appointed sub-overseer, in charge of the water cart, which was employed in conveying a supply of water to all the officers' quarters on the settlement, and six of the most incorrigible characters on the Island, were placed at the water cart in his charge.

Dubbo remained faithful to his trust, and brought his men to the office upon every possible occasion, and by doing so he soon got into the good graces of the Commandant.

I had been three months in the gaol gang when the remaining portion of my sentence was remitted, and thereupon received the appointment of overseer of the plaiters' shop, which establishment had been recently created, and where all men who were pronounced unfitted for hard labour, were employed at hat-making. There were shoemakers and tailors also, working in the room, and the charge of the whole devolved upon me. The military and civil officers who might require anything in our line were obliged to send a requisition to the Commandant's office, and on all such occasions I had to go to their quarters in order to take measures, and bring home the work, which caused the time to pass more pleasantly than when in the gaol gang.

A murder had now been perpetrated under the following circumstances. It appeared that a sub-overseer, known by the sobriquet of "Splawfooted Clark," had a gang of men under him, who were employed at the lime-kiln; and during some altercation, one of them knocked him down with a shovel, and the other dashed out his brains with a similar implement. Both men were executed for the murder. Although I was getting on pretty comfortably, yet the generality of the prisoners were in a state of mutiny, and appeared to be utterly regardless of their lives, owing to the tyrannical treatment they were daily and hourly subjected to. A prisoner under the new system was never safe, being liable at any moment to be charged on private information with a crime he never committed; and it is an established fact that a man's keeping himself out of scrapes constituted a crime. Another murder was committed at the Cascade Station, three miles from the Settlement, where a strong body of prisoners were stationed. In this instance, a man named Sullivan had been sentenced to be flogged, and while being tied up to the triangles for the purpose of receiving his punishment, he turned upon the flagellator and stabbed him to the heart with a knife, which he had concealed upon his person. Previous to his execution he manifested symptoms of the deepest contrition, giving himself wholly up to prayer. The flagellator died immediately after receiving the wound. Crime was now evidently on the increase, and the prisoners in a worse state, both morally and physically, than when under the rule of Major Childs. As I am dealing with facts, I may as well now relate another circumstance which occurred nearly about the same time as did the incidents above narrated.

A prisoner named Feeney retiring from work one evening, bolted from his gang, and was not heard of until two or three days afterwards. When about twelve o'clock at night, he was seen by the constables, who pursued him so closely that he was obliged to take refuge in the "basin," where the gaol gang had been employed in removing the large stones from the bottom. A sub-overseer named Chapman, who also performed the duties of flagellator, followed him into the water, and, having grappled with Feeney, who was a small delicate man, he kept his head under water until he was drowned. This was seen by another constable named Ridgeway, who made a report of it to head-quarters, but nothing was done in the matter. Chapman was a most brutal villain, and after leaving Norfolk Island, was executed at Launceston, for attempting to murder his master at Morven.

Four ships had arrived from England with prisoners, since my landing on

the Island, and the old hands were all forwarded to Hobart Town, with the exception of those selected as constables, or to fill other situations. On the occasion of the arrival of the *Tory* from Van Diemen's Land with prisoners, a Mr. Baldock was drowned, the boat having capsized while proceeding to the vessel, which was lying outside the bar. The other men who were with him swam ashore. His situation, however, was soon filled up by a constable named Stephens. The *Tory* carried off another draft of probationers, who had been lucky enough to complete their sentences. I was always pleased to see men leave this abode of desolation and despair, trusting that the time would come when I should be free to go also, but this, under the present Government, was a matter of much uncertainty, as the slightest offence involved the perils and penalties of the gaol gang, from which it was very difficult to escape. Many of my fellow prisoners who belonged to this gang, instead of lessening, were daily increasing, the term of their bondage by receiving fresh sentences. It is a well-known fact, that the majority of the prisoners sent from Van Diemen's Land to Norfolk Island in Mr. P——'s time—no matter how short their sentences—never returned until the establishment was broken up. In some instances, men, who at first were sentenced to perhaps 18 months or 2 years, left Norfolk Island for Port Arthur, with some ten, twelve, and as much as twenty years of a sentence yet to perform, and all this addition in the majority of cases, had been occasioned by a bit of tobacco being found in their possession, or by some other offences equally trivial. In illustration, I have only to relate the following circumstance which no doubt many of my readers in Tasmania will recollect.

A constable who carried the cognomen of Pine Tree Jack, from a habit he had of climbing up trees in order to detect prisoners trafficking, smoking, &c., had on this occasion brought a man named Sutton to the office, and charged him with having a "chaw" of tobacco in his mouth. Sutton denied the accusation, and on Mr. P——e asking "Jack" if he had seen tobacco in the prisoner's possession, the former replied that he had not, but that he observed the stains of tobacco on his lips, and upon this evidence Sutton was sentenced to fifty lashes and nine months in addition. Some may imagine that this story is exaggerated, but it is a positive fact, and as I have now introduced Pine Tree Jack into my narrative, I will mention another adventure connected with his history. My friend, Pine Tree, while on one of his rambles, espied a prisoner detach himself from his gang and plant something near a bush, but being at too great a distance to identify the offender, and not wishing to expose his situation (being up a tree at the time), he resolved to remain in his elevated position until the gangs returned to the settlement. He immediately then repaired to the spot, where he found a fig of tobacco, and being resolved to have the man as well as the tobacco, he adopted the following expedient:—On tying the end of a black thread firmly round the tobacco, he placed it in its former position, and making the thread sufficiently long for his purpose, he brought the end of it to a bank where he could conceal himself from observation, and on completing his arrangements to his entire satisfaction, he returned to the settlement. Early next morning he repaired to his hiding place, and laying hold of the end of the thread remained like an angler at a brook anxiously awaiting the dip of the cork; he had not long to wait, however, before the jerk on the other end of the thread informed him that the time for action had arrived, and hastily springing up, he captured his victim with the tobacco in his hand with the thread still attached to it. Pine Tree lost no time in bringing him to justice (!), and the delinquent was sentenced to fifty lashes, and twelve months addition to his sentence. The artifices of Pine Tree Jack while at Norfolk Island would fill a volume, as the sole object of his life appeared to be to clot the triangles with the blood of his fellow-men. He was one of the new hands from England, and although making himself so conspicuous in the discharge

of his duties, was still only a "probationer," received no pay, and was dressed in prison clothing. When he was allowed pay his ambition appeared to be satisfied, and he relaxed wonderfully in his vigilance.

There was an assistant-superintendent on the Island named Stewart, a highly-respectable man, who had received his appointment in England. This gentleman was very much esteemed by all classes on the Island, but having the misfortune to live next door to a married constable named Greensmith, whose wife had served an apprenticeship in the Factory, while he himself had taken degrees at Port Arthur, some altercation took place between the respective wives. Mrs. Greensmith made a complaint to the Commandant who, having investigated the matter, gave orders that Mrs. Stewart was to be sent off the Island by the first conveyance. She left accordingly, being obliged to leave a small family, one of whom was a girl about twelve months old, the mother not wishing to take her as she was in such delicate health. This circumstance caused a great deal of murmuring, it being considered one of the most cruel acts (and that is saying something) that Mr. Price ever committed. The husband, as a matter of course, followed his wife to Hobart Town by the next conveyance, taking his family with him. Greensmith was subsequently executed in Sydney for the murder of his wife.

I had now been a considerable time in charge of the hat department without coming under the special notice of the Civil Commandant, leading, as it were, a charmed life, but this state of things was much too good to last. One day I was called to the door by a constable who requested me to fasten up the brim of the hat he then wore, and keep it from falling over his eyes, which I did in a very few minutes. For this I was reported, and sentenced to six days' solitary confinement. It may appear ungrateful in me to speak disrespectfully of Mr. Price, who, notwithstanding his treatment of others, never exercised much severity over me; but I would observe that I am only laying before my readers a plain exposition of facts. It is an old proverb that misfortunes never come alone, and in my instance it proved too true. I had scarcely crept out of my cell, and resumed the charge of the shop, when the muster master, Mr. H——s, came up to the door, and while standing there one of the plaiters, named Stacey, inadvertently observed that his day's work was nearly completed. On seeing Mr. H——s, however, he made no further remark, as the strictest silence, when in presence of an officer, was enjoined by the regulations. My readers will perceive how difficult it was for me to carry out this order to the letter, having men in my charge who had gone through all grades of punishment, leaving them if possible more hardened than before, and more determined to infringe the regulations on all possible occasions. I was aware that Mr. H——s heard Stacey make the remark, but it being so innocent in itself, caused me to think that a deaf ear was turned, but I was mistaken; for on the following morning, Stacey and I were both called to the office, and placed at the bar, Stacey charged by Mr. H——s with talking in the plaiters' shop, and I with neglect of duty in permitting him to speak. On hearing the evidence, Mr. P——e, addressing Stacey, said, "Tommy, I'll give you fourteen days in irons," and "Martin," he added, addressing me, "You shall have one month of the same thing." I was now disgraced, as my sentence involved the loss of my billet, and my tea and sugar into the bargain, such latter luxuries being only granted to prisoners holding the situations of sub-overseers. It also deprived me of many other advantages, as I was now strictly confined to the shop, and had to take my meals with the other men in the lumber yard. Some few days after the above occurrence, while at dinner in the mess-room, a very notorious character named Martin Irwin, who was conducting himself in a disorderly manner, was checked by the constable on duty in the mess-room. Without a moment's hesitation, Irwin knocked the constable down and kicked him in a most brutal manner. The constable, who was a very delicate man, exclaimed, "Oh! Cash, don't let him kill me!" Upon which I ran up to the spot and

found Irwin kneeling on the constable's breast, and in the act of drawing the cutlass attached to the latter's belt, at the same time, swearing the most dreadful oaths, declaring that he would cut the constable into ounce pieces. I at once laid hold of Irwin, and in pulling him off the constable, I brought them both on their feet, Irwin still clinging with deadly grasp to his victim, who was bleeding profusely from the kicks he received on the head and face. A number of the prisoners called out to me to let Irwin settle him ; however, I paid no attention to their request, and, having taken the cutlass from Irwin, I stood between the two, weapon in hand. The chief constable and a strong party of police now came up, and the constable declared that had it not been for my interference Irwin would have killed him on the spot. A statement of the whole affair was laid before the Commandant, and it was generally supposed that I would get a ticket-of-leave, but I was disappointed for once, and not even a shackle was removed from my shins.

CHAPTER X.

“Child of the country, free as air
 Art thou, and as the sunshine fair,
 Fed 'mid the May flower like the bee,
 Nursed to sweet music on the knee,
 Which winds make 'mong the woods of June.”

Liberty Restored.

Six months subsequent to the occurrences stated in the last chapter I was reinstated in my former billet, and the next vessel that arrived brought Bishop Willson, who, on his tour of inspection through the establishment, entered one of the wards in the barrack-yard where he found thirty prisoners, all of whom had been recently flogged, and were then undergoing the process of hydropathy. His Lordship was nearly overpowered by the stench arising from their festering wounds, and was so horrified at the spectacle that he discontinued his visits, and returned to Van Diemen's Land in the vessel which brought him down. When in England he told his terrible story to the Secretary of State for the Colonies, and the result was that the benevolent interference of this truly holy and good man had the effect of decreasing the pitching of the triangle, and the blood-pouring strokes of the lash.

A prisoner named Alexander Campbell had been sentenced to thirty days' solitary confinement for insolence to his overseer, and while undergoing this sentence he was visited by the Commandant, and being of a violent temperament he happened to make use of some "threatening language," for which, at the expiration of his term of imprisonment, he was sentenced to a like period of confinement.

About this time a new instrument of torture had just been invented, in the shape of an iron frame about six feet long and two-and-a-half wide, with round iron bars placed transversely, about twelve inches apart. The prisoner being placed in a horizontal position upon this frame, with his head projecting over the end, and without any support, was then firmly lashed with cords, and in this awful agony he was left in darkness for twelve hours. Campbell was subjected to this punishment and solitary confinement so often and for such a length of time, that at last he was found dead on the stretcher when the gaoler visited his cell. From the time Campbell was first sentenced until his murder, a period of six months, he had not been altogether twelve days out of solitary confinement. As there was no person to investigate the matter the sacrifice of Campbell passed like sunshine.

The Rev. Mr. Rogers next came under the autocrat's displeasure, but as he could not be accommodated with the comforts of the "stretcher," his reverence was banished to Longridge, where he remained under police surveillance; while a daily report of his actions was regularly forwarded to head quarters. His servant was also in league against him, and this villain was in the habit of extracting his master's private letters and memoranda and forwarding them to the Commandant. The reverend gentleman was at length despatched to Hobart Town, and in losing him, the prisoners lost a friend indeed. But

prisoners, during my experience at all events, invariably treated their benefactors with treachery and ingratitude.

The vessel which conveyed the benevolent Mr. Rogers to Hobart Town brought us, on her return, a coxswain named James Weir, who in a little while became so sickened by the tyranny exercised on the Island that he sent in his resignation. Mr. Price, in order to make Weir feel the effects of his displeasure, imposed extra duties upon him, but he steadfastly refused to perform any other than those to which he had been appointed by the authorities, and said in the presence of the Commandant that had he known that such cruelty and rascality were practised on the Island he would not have accepted the appointment. For this he was suspended, and had to wait until the arrival of the next vessel, a period of nearly three months, during which time he was deprived of rations, but purchased provisions for himself and wife from persons on the Island. The short time he remained with us he gained the good will and esteem of all who knew him, as he never lost an opportunity of doing a good turn for any of the prisoners with whom he came into contact. Weir is still living, and has been a waterman for the last twenty years in Hobart Town, where, by his attention and civility, he has gained the good opinions of all. He was a prisoner's friend, and as one of that class, beside being an honest fellow in every respect, I wish him all the good fortune he so well deserves.

The Rev. Mr. Davenport arrived on the Island as protestant chaplain, and took up his residence at Government House, the quarters which had been assigned to that gentleman undergoing repairs at the time. While here I was summoned to measure him for a hat, and found him in company with Mr. Price. We all adjourned to a store room in order to procure the necessary trimmings, to enable me to turn out an article of the latest style and fashion for the parson, and while cutting the silk for the trimming and the ribbon, the Commandant said, "Well, Martin, how is the round table lot getting on now?" I replied that all that kind of work was now done away with. Some other conversation was forced and indulged in by the Commandant, in the presence of the minister, and which must have given the latter a fair idea of the refined tastes and sentiments of the Governor of the Island. "Martin," he continued, "did you ever know a shoemaker named Marryat in Hobart Town?" I replied that I had. "Well," he resumed, "you are indebted to him for the information which led to your capture, as it was he who told me that a woman from the country had been enquiring at his house for the residence of Mrs. Cash, he being of opinion that it was you who had sent her. I gave orders accordingly that the police should keep the residence of your wife under survey, and you know the results." "I suppose," he added, "you will be too ungrateful to thank Mr. Marryat when you make your appearance in Hobart Town." I answered that the danger was past, remarking that had I known the fact on the night I visited the metropolis, I should have done myself the honor of calling upon Mr. Marryat. A day or two after, I had the gratification of seeing an old acquaintance in the person of Mrs. Honey, who had recently arrived with her husband, a deputy commissary-general, and whom I had had occasion to call upon during my professional career. Mrs. Honey was the first person I saw on that visit, and in the course of conversation she enquired if I had ever seen her before. I answered that I had not the honor of knowing her. She then enquired if I remembered Mrs. Kerr at Dunrobin, upon which the whole affair flashed across my memory, and I respectfully enquired if she was not the Miss Morgan whom I had seen when on that estate. She answered in the affirmative; and throughout addressed me in the most lady-like and gentle manner, presenting me to her husband on his return. Both of them befriended me during their stay on the Island, which was of short duration, owing to Mrs. Honey's illness. I saw them afterwards in Hobart Town in the enjoyment of good health, and quite happy in all other respects. About this time it

was rumoured that Mr. Price was about to leave the Island, and the rumour having reached that gentleman's ears, he took the opportunity of visiting the lumber yard, when all hands were present, and assured them, with a sinister smile on his countenance, that they need be under no apprehension of losing his fatherly care and protection, as he felt so deeply interested in their welfare, that he would sacrifice his own interests to promote theirs. The ungrateful scoundrels, however, did not appear to appreciate such genuine disinterestedness, but, on the contrary, they repaid it by curses deep but *not* loud. Mr. Price knew that the day he left the Island would be kept as an anniversary, at least in the hearts of the prisoners. What occasioned the rumour I cannot say. I am only aware that from that day the Commandant treated the prisoners with more severity than heretofore. As an illustration, I will relate an occurrence that took place the following day:—A carpenter named George Douse, while shaping a beam intended for the windmill, accidentally let the end of it fall, by which it got damaged. A free overseer named Bailey, a frightfully pox-marked and ugly man, but better known as "Musha Pug," brought Douse to the office and charged him with neglect of duty. The prisoner declared it to be an accident, but to no purpose. He was sentenced to one hundred lashes by Mr. Price, who seemed resolved to let it be seen that he was still upon the Island, and quite prepared to carry out his measures as rigorously as ever.

A vessel from Hobart Town was now daily expected, and in a short time she was observed lying quietly outside the bar. I cannot account for it, but before they had time to communicate with any person on shore, it seemed to be generally known that Bishop Willson and the great Bashaw of Boa Vista notoriety were passengers on board. The following day Dr. Hampton paid an official visit to the office, where he found two hundred and fifty prisoners, myself included, ranked up for imperial inspection, Dr. Hampton, in all the majesty of office, scanning with a malignant stare the unholy army of martyrs, half-starved, persecuted wretches, whose backs were hacked, furrowed, and lacerated out of Nature's form by the repeated application of the lash. The Bashaw, after scanning the miserable group, waved his hand majestically in token of silence, but this was quite unnecessary, as the most profound quiet reigned at the time, and in his usual austere and freezing manner, ordered all men who had not completed their sentences to return to the barracks. As this number comprised the whole of the men, with the exception of some half-dozen, his trouble was very much abridged. On hearing this imperative mandate, I gave up all hope, but having been now seven years and eight months an islander, I was resolved to speak to the convicting at all hazards. Stepping up to Captain B——d, who was standing in the verandah, I requested permission to speak to Dr. Hampton, which was granted, and in a few minutes I stood in his presence. In language respectful and firm, I begged a removal to Hobart Town. He at once referred to the records, where he found that I had been sentenced to wear irons for a month, for disobedience of orders. On reference to Captain B——d that gentleman explained the nature of the charge, and in doing so I found that he indirectly favoured my case. After a careful examination of my record, Dr. Hampton dismissed me with the promise that "he would see," and upon this vague and indefinite answer, I was obliged to make my exit, being under the impression that a great deal now depended on Mr. Price, a circumstance which left me little to hope for. On my return, I met the Rev. Mr. R——n, whom I made acquainted with what had transpired, at the same time requesting him to give me the benefit of his influence. It appears that he afterwards had an interview with the Commandant, who sent for me, and intimated that if all Mr. R——n had told him was true, he would offer no opposition. I thanked him, and returned to my duties in the shop.

The Sunday following there was a general muster, all servants and billeted hands being obliged to attend. After having been formed into square, Dr.

Hampton, accompanied by Mr. Price and other convict officials, marched into the centre of the square, and the Commandant called the names of five or six prisoners whom he intended to recommend, and who on answering their names formed a separate group in the centre, at the same time keeping a respectful distance from the officers. In a few minutes the name "Martin Cash" was called, and my heart fluttered with an indescribable feeling as I joined the group of prisoners who had already been named. Mr. Price pointed to me and observed that I had been nearly eight years on the Island, during which time my conduct had been exemplary, and that I had exposed myself to the enmity of a certain portion of my fellow prisoners, in my endeavours to check crime. This closed the proceedings. The next day I was sworn in as a constable, a contingency that I never anticipated; but man is the sport of circumstances, and so I had to abide my destiny. My duties still remained as before, with this difference, that I now received two shillings and sixpence per diem and rations.

The next vessel that arrived, to the great joy of all the prisoners, carried off the Commandant; Captain H——g, who was then on the Island, being invested with full charge. Some short time after, a constable named Corrigan and myself were sent for and appointed, as gate constables by Mr. H——s. I may here observe that this post involves a very unpleasant duty, the party fulfilling it being obliged to search for tobacco or other forbidden luxuries. On ascertaining the honor that was intended for me, I at once refused to accept it; and this being a gross dereliction of duty, I was placed under arrest, and the horrors of the gaol gang once more stared me in the face; but I did not regret the step I had taken, as I preferred to abide the consequences rather than hold a post which no man possessing the slightest sense of honor could fulfil. While awaiting trial at the constables' quarters, the Rev. Mr. Lucas called, and enquired upon what grounds I refused my new appointment, at the same time expressing his surprise that I should act so imprudently. I made him acquainted with my reason for doing so; upon which he left me, abruptly exclaiming, "Martin, I pity you!" Two days after I was brought before Captain D——g, and charged by Mr. H——s with disobedience of orders. Having nothing to urge in my defence, Captain D——g delivered a very eloquent address, in which he described me as a most useless constable, never having since my appointment appeared at the office against a prisoner, or in any other manner carried out my duties with that zeal which might have been expected. I found at this stage of the proceedings that some of my friends had been painting me to Captain D——g in colours to suit their own purposes, as that gentleman knew nothing of my previous history. I was momentarily expecting a sentence of eighteen months or two years in the gaol gang, when I was agreeably surprised at receiving an order to proceed to Longridge, and carry out my duties there. Had it not been for Mr. Lucas's kind interference, I should have again been placed in the gaol gang. My duties at Longridge were principally to take charge of the parties who were employed in carting firewood to the settlement, and having a quiet, orderly set of men to deal with, I felt myself more comfortably situated than I had ever been at the settlement. This, however, was not to last long. I was obliged to act under the orders of a senior constable named Wainwright, who evinced a spirit of hostility against me, that I never could understand. I had forwarded an application to the Government authorities in Hobart Town, for permission to marry a female in the service of Doctor H——n, and in the interim my friend Wainwright concocted a charge against me for making use of expressions detrimental to the character of Doctor H——n, who was then resident surgeon on the Island. This charge was without the slightest foundation, and I now honestly declare that from the time I first had the honor of knowing that gentleman up to the present moment, I have always entertained feelings of the greatest respect and gratitude both for him

and his family. I believe the charge was preconcerted for the purpose of putting a stop to my marriage, and to place me once more in the gaol gang. I had been locked up for three days, when Dr. H——n, having heard of the circumstance, called at my cell, and assured me that he did not credit the statement made by Wainwright, and that the matter should be speedily settled. However, in a few minutes after I was handcuffed and marched to the office and again arraigned before Captain D——g. Wainwright stated the charge, and his evidence was corroborated by his "Toadie," a sub-overseer named Fletcher, who would have sworn a hole through one of the thickest targets on the experimental battery at Shoeburyness at his bidding. It was all to no purpose, however, as Captain D——g, with his usual display of oratory, dismissed the case, and ordered me to return to my duties at Longridge. This was the last time I had the honor of seeing that gentleman, as Major D——y, shortly after arrived from Hobart Town, in the capacity of Commandant, the vessel that brought him down, also bringing me a marriage licence from Bishop Willson, which was rather an unusual circumstance at that time. I was married a few days after, and appointed to take charge of the Cascade station where another constable named Samuel Bridges was stationed, and having excellent quarters and very little duty to perform, my wife and I lived comfortably together.

Some months before this period, the Lieutenant-Governor had received orders from the Secretary of State for the Colonies to break up the establishment at Norfolk Island, and consequently in the course of a few months I had the satisfaction of bidding adieu to the "Island of Despair," and returning to Van Diemen's Land, where I was appointed by the late estimable Honorable William E. Nairn to take charge of the Government Gardens. While here my wife brought me a son, who is now growing into a young man, and who, I earnestly trust, may be more fortunate in his way through life than his father. On resigning my situation, I went to New Zealand, where I remained four years, after which I returned to Tasmania, and, having saved a little money, I purchased a farm at Glenorchy, where I have resolved to pass the remainder of my days in the calm and tranquil enjoyment of rural retirement.

THE END.



A D D E N D A.

(January 20th, 1843.)

We regret to learn that three misguided men who have escaped from Port Arthur are at present at large, and levying contributions in the Richmond District. On Monday night, they called at Blinkworth's, at Jerusalem, and possessed themselves of a double-barrelled gun and some ammunition. All three are now armed. One with the double-barrelled gun, the others with single-barrels. Their names are Martin Cash, Kavanagh, and Jones. We trust that we shall soon hear of their capture. They may cause some terror, groundless though it be, and may do some mischief, but can only protract and, perhaps, aggravate their punishment. A reward of fifty pounds has been offered for their apprehension.

(*Idem*, January 21st.)

Intelligence was brought to town this evening, that the runaways had appeared in the neighbourhood of Bagdad, where they entered the house of Mrs. Thompson, when their appearance frightened her into a fit. They behaved civilly, and when one of the men begged to be allowed to bring some water to revive her, they did so; but finding he had been off to give the alarm, they decamped without further molestation. The Governor, with a promptitude which does him credit, has offered a reward of fifty pounds and a pardon for their apprehension. The best prevention from bushranging is thus to meet the evil at the outset, and check it before it becomes dangerous.

(27th January.)

A report was in circulation that the runaways from Port Arthur had crossed Compton Ferry on the night of Sunday last, and that they had crossed the tiers on their way to the Huon district; there must, we think, be a mistake in this, as they were seen at the Cross Marsh on the night of the 24th, an improbable occurrence, except we can imagine that they recrossed again, and had only pursued their first course to throw their pursuers off the scent, or that they had found the country impracticable, or could not support themselves there from its nature. This last conjecture may, perhaps, be pretty near the truth, however, and, under any circumstance, we have little doubt that the promptitude of his Excellency in offering a large reward, will lead to their speedy apprehension.

(3rd February.)

The course of these unhappy men has at length been marked with blood. On Tuesday last they attacked the Woolpack, and severely wounded two of the constables who were stationed there. An exchange of fourteen or fifteen shots took place, and it is believed that one of the murderers is severely wounded; we shall give the entire particulars in our next.

(10th February.)

On Monday last, Cash and his party paid a visit to the house of Mr. Hodgkinson at the Black Brush, and succeeded in taking away several articles. Mrs. Hodgkinson and her daughter were alone in the house at the time, but Mrs. Hodgkinson, with a courage and determination, which many of the more masculine but less manly neighbours would do well to emulate, jumped out of the window and gave the alarm. The ruffians threatened her life, but were withheld from carrying their threats into execution by the entreaties of her daughter. On leaving the house a hot pursuit commenced, but though the pursuers were within half an hour at one place, they got clear off.

(February 14th.)

[Extract relating to Smith who murdered Osborne at Port Arthur, as described in a former part of this narrative.]

We regret to find that the miscreant who committed so cruel and unprovoked a murder has escaped the just penalty awarded to his crime by the laws of God and man. Such was the wise and merciful decision of the Almighty Merciful because such a course prevents crime of that enormous nature of that committed by the prisoner. The policy of the penalty of death may be questioned in any case but that of murder, but for that crime there is little of that commiseration or pity which so often renders the example nugatory in other crimes; besides, the precedent is a bad one.

Monsters have been found who would face the certainty of death for the purpose of being removed to Hobart Town, where they would pass the interval until execution. An additional motive, that of escape, has now been added. What the result may be is hard to divine. The acquittal of the miscreant was obtained by what they call a flaw in the indictment, of which we had lately to record numerous instances. For the sake of the colony, we deplore the carelessness which has led to both results, and we certainly do not envy the feelings of those to whom that carelessness is attributed.

(Idem.)

We regret to hear that four men have taken the bush on the Launceston side of the island, and that it is currently reported that three more have escaped from Tasman's Peninsula. It is quite time that active measures were taken to nip the growing evil in the bud.

(Idem, 21st February.)

Cash, Kavanagh, and Jones have again been heard of in the neighbourhood of Bridgewater. On Saturday, they met Mr. Cook in the bush, and took from him a silver watch and a double-barrelled gun. They detained him until dark, expressing their regret at inconveniencing him, but excusing themselves on the plea of their own safety. They stated that when they had an opportunity they would visit Mr. Forster, the police magistrate at Brighton, and that they had an abundance of provisions and arms concealed in the bush.

In speaking of the attack on the Woolpack, Kavanagh said that he had gone back for a keg of brandy, and that Cash had received a flesh wound from the constables, but was now quite recovered. They expressed pleasure at hearing that the report of the death of one of the constables (wounded) was unfounded. They left without offering any further violence.

(24th February.)

On Wednesday night, about half-past eight, Cash, Kavanagh, and Jones met Mr. Bradshaw with two men with a cart near Mr. Shone's, at the Back River, near New Norfolk, whom they challenged, and then tied them. They then came to Mr. Shone's house, rapped, and when asked who was there, obliged Mr. Bradshaw to answer. Mr. Shone, who with Mrs. Shone, was at tea at the time, opened the door, when they rushed the men in before them, leaving Cash as sentinel, while Kavanagh and Jones went to the men's huts, where there were six men, and tied them. These they brought into the house, and placed at one side of the room, Mr. and Mrs. Shone at the other. About five minutes after Messrs. McKay, Ferguson, and Shone, jun., Miss Shone, and Miss Carter came up in a spring cart, when they were surprised on being told to walk in to find the house in the possession of the bushrangers, and the family placed as described. They even ordered them to sit down with Mr. and Mrs. Shone, while Cash still remained inside and Kavanagh outside as guard, Jones meantime searching the house. They behaved with the utmost civility, Cash remaining with much apparent ease, and seemingly perfectly informed of every event as well in the country as in town. Cash attributed the visit to some constable having been at the house a few days before. He understood that the Governor had offered a free pardon and reward for their apprehension, but that it was useless; that though Captain Forster was in search of them they did not think the constables wished to come up with them; but if they fell in with Mr. Forster, of Brighton, they would shoot him. This they had previously told Mr. Cook. With respect to their attack on the Woolpack the constables had behaved in a very cowardly manner. Cash admitted that he had been slightly wounded there, that they had challenged the constables, who had fired and run away. He said he supposed there were few constables at New Norfolk, as they must be all out after them. They asked Mr. Ferguson, who was a stranger, his name. One of the men shook, apparently from indisposition. This aroused Cash's suspicions, who told him that if he was not quick he would soon cure him of ague, that his gun was a most efficient doctor. Cash

said he had been transported from Sydney for shooting at Mr. Thompson, and that the public had to thank their treatment at Port Arthur for their presence. They then asked what arms were at Mr. Lightfoot's, and being informed that he was well-armed and prepared, said that was what they wanted; but that they would soon hear of his being robbed without firing a shot. He seemed quite indignant that a Mrs.—, the name we cannot recollect, should have stated that they tied her to a tree and robbed her, which he positively denied, but swore that he would match her for her lies. They only got 24s.; with which they were not satisfied, and told Mr. Shone there must be more, and if not produced they would fire the house. However on Mr. Shone's assurance that there was no more, they were satisfied. They took a valuable gold watch from Mr. McKay, but did not search any one but Mr. Shone. Cash said his life was worth nothing, that it was as well to be shot as hanged. He behaved with the greatest courtesy all through. He even asked Mrs. Shone was she a Government woman, and on Mrs. Shone telling him who she was, begged her pardon with a bow. Miss Shone was very much terrified, but he used every effort to reassure her, and on her recovery, said that, like Mrs. Panton, she was frightened at first, but cheered up afterwards. He said that he would rather be hanged than go to a house where there were women. After a stay of three-quarters of an hour, they went off, bidding a courteous good night, and taking with them, besides money and Mr. McKay's gold watch, a silver watch from Mr. Shone, some hams, flour, tea, and sugar. Before going, Jones took off a handkerchief with which one of the men was tied, which belonged to himself, stating that it being a present from his sweetheart, he did not wish to lose it. They gave an account of their meeting Mr. Cook, who they said called himself Smith, and said they would have shot him had he or anyone believed him under the supposition that he was the captain of the gang. Cash stated that the gun in his hand was his own, and that it was a good one. He was dressed in a large drab coat, buttoned up, and a straw hat. Kavanagh in a blue sailor's jacket; he remained outside the door all the time. Jones had a fustian shooting jacket and trowsers and Manilla hat. Nothing could exceed the coolness and fortitude displayed by the ladies after the first surprise was over; in fact, the conduct of the party all through was such as to put every one at their ease with respect to personal safety.

(Idem, 3rd March, 1843.)

We perceive that the suggestion of offering a free pardon for the apprehension of the three brigands has been adopted, as well as a free passage from the colony. We trust that of forming soldiers with the police may find the same favour in the eyes of the chief police magistrate. He must be aware that his reliance in his force is far too great, and that when they are tried, they are found wanting. We would entreat him not to let any feeling of jealousy prevent him adopting the only certain means for their apprehension. We honour the delicacy on behalf of the Governor, which has prevented his interference with Captain Forster, when the latter asserted that his own peculiar force were equal to any emergency of the kind; but we think it may be carried too far, and that now the inefficiency of the force is established, some other means should be adopted to curb the career of those men. So universal has been the panic among the police that the acting police magistrate, living in one of the most populous townships in the country and at the distance of several miles from the scene of their depredations, has actually applied for a military force for his own particular protection, fancying, as he alleges, that he may be carried off and obliged to pay ransom.

When the police, paid for protecting others, thus demand protection for themselves, it is a very strong proof of the value they set upon their own courage and prowess. When a magistrate thus confesses that he is not only unable to protect his district against three men, but not even himself, the example is bad. To receive wages without performing the service is dishonest. He should resign, if he does not he should be dismissed. If Captain Forster does not wish the privates to copy the officer he should consider the necessity of the alternative.

(Idem, 14th March.)

Accounts have reached town that Cash and his mates have robbed Mr. Triffett's house on the Ouse on Saturday last, and it was stated that they had gone to the Campbell Town district. Yesterday morning the constables apprehended Mrs. Cash at her residence, having found several articles belonging to Mr. Shone, at the Back River, who had been previously robbed by Cash and his companions. She was remanded by Mr. Price until Thursday, when we will give further particulars. Accounts from Port Arthur yesterday state that eight more men are missing, seven of whom are Sydney prisoners, but it is thought they have not yet left the Peninsula.

[Extract of a letter to the Editor of the *Hobart Town Advertiser*.]

Sir,—I had hoped ere this that the convicts that had escaped from Port Arthur would

have been captured, but as it appears from some cause or other the time may be far distant, it is evident that all families residing in the country will be obliged to put themselves in a state of armed defence, for the power of the magistrates seems to have gone, and the bushrangers will be only taken or driven by the military. This is a fearful state of things, and I am only afraid that the outbreaks are merely beginning; perhaps it is unnecessary to say that the people have a right to look to the local Government for protection from convicts who may be at large, and it is the duty of the local Government to grant a remedy. Surely it is not asking much when police magistrates residing in populous townships make application for a military force for their own protection.

(21st March.)

Mrs. Cash was examined upon two charges, viz., property stolen from Mr. Shone and Mr. Cawthorn having been found in her possession, and was further remanded for additional evidence.

(28th March.)

On the 18th instant Cash and his companions made a sortie into the Hamilton district, and succeeded in surprising Mr. Charles Kerr, of Dunrobin. Two days previous they had made his shepherd prisoner, and kept him with them, learning, of course, every particular which could be of use in their intended attack on his master. Late in the evening, while Mr. Kerr was standing at the door of the men's hut at some distance from the house, he perceived two men approaching, and before he had time to ask who they were, a gun was presented by one to his throat, while the other collared him, and threatened him if he offered to stir. He then ordered one of the men to tie the two others, who were in the hut; but not being satisfied with the manner in which it was done, one of themselves speedily tied the whole party, including Mr. Kerr, who taken by surprise could offer no resistance. They then marched the whole party up to the house, which they had previously surprised and left in charge of the third. On their way up Mr. Kerr requested that they would not frighten the ladies, when Cash, apparently offended, observed, "you must be aware that we are men who neither offer threats or insult to women or children." When in the house Mr. Kerr asked to have his hands untied, which they complied with, obliging him to sit down. They then requested some spirits, and on being informed that there was none, and only three bottles of wine, remarked that that would be little enough to recover the ladies, one of whom had fainted. After taking what was necessary they told Mrs. Kerr they would be obliged to trouble her for one bottle of wine, expressing their preference for port. On Mrs. Kerr refusing to go for it through a dark passage that led to the storeroom, Cash took a candle from the table, and politely lighted her to the room. They then departed, taking with them a pair of duelling pistols and a quantity of wearing apparel. Their conduct all through was characterized with the utmost forbearance, amounting as far as the ladies were concerned almost to gallantry. On one occasion having found a little boy with a gun they took it from him, but on his crying and saying it was his own, they returned it again. Jones wrote two or three letters, one to Mr. Shone, which we have not seen, but we subjoin a copy from the *Courier*, from which we have likewise taken an account of the attack on Mr. Sherwin, of which we have not been able to obtain the particulars:—

"Understanding through the public press that Mrs. Cash is in custody for some things you have sworn to, we hereby give you notice that if you prosecute Mrs. Cash we will come and burn you and all you have to the ground.

"(Signed) CASH,
"JONES,
"KAVANAGH.

"Mr. Shone, &c., &c., &c."

(Idem.)

On Wednesday last they paid a visit to the farm of Mr. Sherwin, of Sherwood, about seven o'clock in the evening. Mr. Sherwin was at tea, in company with Mr. Propsting, of Hobart Town, Mr. Henry Propsting, and a young man named Payne, when a servant of Mr. Sherwin's named Smith came into the room, followed by Cash, with a double-barrelled gun, who immediately presented his piece, threatening them with instant death if they stirred. In a few minutes after Jones appeared, driving in some of the assigned servants, who were ordered to sit down, and ten minutes after this Kavanagh drove in the rest of the men, together with a stranger from one of the neighbouring farms. They were all tied together with cords and handkerchiefs. They then demanded the keys, which Mr. Sherwin took out of a drawer and delivered to one of them, supposed to be Jones. The other two kept guard, and soon after Jones returned, bringing several articles, which he had collected, and placed them in a corner of the hall. Cash enquired what firearms were in the house, and also demanded Mr. Propsting's money, who delivered up ten or twelve shillings, having during the time they were occupied in securing

the servants managed to conceal his watch and other cash, which thus escaped notice. Jones took Mr. Sherwin's watch from his pocket, but returned it to him again on being told to do so by Cash. They also took some money from a desk. One of them next asked for spirits, and made the servant go with him to the cellar, from which he returned bringing a bucketful of wine, some of which they drank, and gave the remainder to the men. Jones now gathered up the articles which he had placed in the hall, and the three then took their departure, with the usual threat of shooting any person who should venture out before morning. Kavanagh came back in a few minutes, with a shawl belonging to Mrs. Propsting, which he said he had taken by mistake. They carried off a duelling-pistol and single-barrelled rifle, together with a quantity of provisions, tea, sugar, &c. Previous to the robbery they had fallen in with one of Mr. George Stevenson's assigned servants, the man mentioned above as named Smith, whom they questioned closely as to the premises, and whether or not there were any constables, as they had been given to understand, lying alongside the fence. They are each armed with a double-barrelled gun and a brace of pistols.

(Idem, 4th April.)

Those men, it appears, are following their vocation with unwonted vigour, without the least probability of immediate apprehension. On Tuesday, 28th March, they entered into conversation with a man in the service of Captain John Fenton, making enquiries respecting his master's premises. They appeared to be perfectly at their ease, though within one hundred yards of the house, where a number of men were employed, and, as it would appear, well armed in anticipation of a visit from the bushrangers. However, they moved off in the direction of the River Styx. The man immediately apprised his master, who with half-a-dozen men went in pursuit, but without success. On Thursday last another report reached town of their having visited Mr. Clarke's, of the Hunting Ground, but the particulars of which we are not acquainted with. Mr. Edols, too, received a visit last week, but we are tired of enumerating their exploits, which may, without exception, be expressed as Cæsar's verities—*Veni, vidi, vici*. We do not wish to impute remissness to any, as we are aware that the gentlemen who sit at home at ease may reason very differently from a man in the power of three desperadoes, but we do think it strange that no one out of so many has attempted to resist or follow them—numbers are, at all events against them, except Mr. Edols, who, we believe, was not merely surprised and unarmed, but encumbered by his fears for a young family.

(11th April.)

The perfect insufficiency of the police to apprehend Cash and his troupe is at length acknowledged after some months' unavailing efforts. The military have been in consequence ordered to their assistance. Thirty-nine men, under the command of Lieut. Doveton and Mr. Stephenson, have been ordered to occupy several posts in the district which has been the scene of their daring exploits. Here, stationed at different points, they may intercept them in their progress when necessity compels them to leave their haunts, which the knowledge of the locality renders secure while they choose to remain in seclusion. We have no doubt that those measures will be successful. It is a pity that delicacy or deference to the feelings of others should have so long delayed them in opposition to the better judgment of the head of the Government himself.

(Idem, 21st April.)

The judicious measure of enlisting the military in aid of the police has forced the bushrangers from their stronghold in the country surrounding the Dromedary, and extending to the Brighton and Hamilton districts. On Friday last they were beyond Jerusalem, having called at Mr. Stokell's hut and taken breakfast. We look on their speedy capture, as assured every exertion is being made in the Richmond district to ensure an event so desirable for the peace and example of the colony.

(Idem, 2nd May.)

On Wednesday Cash and his mates plundered the house of Mr. Allardyce on the Clyde. They came up just at sunset, bringing with them two of Mr. G. Nicholas's men, whom they took on Weasel Plains, and Mr. John Clark and two servants, whom they took on his farm. They went to the hut and tied the men, and brought them to the house, where they placed them in line, Kavanagh keeping guard over them, Cash remaining outside with Mr. Clark, and Jones, as usual, ransacking the house. They took a quantity of wearing apparel, two guns, tea, sugar, pork, flour, a box of caps, powder flask, and then decamped. Mr. Barrow arrived next day, and took the deposition of the men. Mr. Clark was with them for a considerable time, and met with very kind treatment.

(Idem, May 16th.)

On Tuesday last Cash and his mates appeared at Mr. Espie's at Lake Echo, surprised the inmates of the stock hut, and took from them part of their supplies, consisting of one hundred and fifty pounds of flour, a bag of sugar, and fifty pounds of tea. They took two horses to carry their swag, and have not since been heard of. Everything seems to corroborate the supposition that they are preparing to withdraw from the more settled districts, and either attempt an escape from the colony, or else retreat into the remote and unfrequented districts, until the heat of pursuit is over. The account was bruited about on Friday morning, and received full confirmation by that day's post.

(Idem, 19th May.)

To the Editor of the Hobart Town *Advertiser*.

Sir,—In common with my fellow colonists, free, I feel not only surprised but indignant that Cash and his party should range at will through half the colony, although a large body of constables and military at a very heavy expense to the colony are professedly in pursuit of them.

The fact clearly indicates that these misguided men have at all times the very best information as to the movements of those really in pursuit of them, and that they are protected by men of their own class in the districts they frequent, every means, therefore, likely to meet the ends proposed by the Government should be immediately resorted to. The reward is evidently not enough to tempt those likely to know the haunts and movements of the bushrangers, the inducement to betray them should therefore be increased, or some fresh means tried. Say, for instance, that all the men, as well as the master or overseer on the different country farms, be sworn in as special constables; extraordinary emergencies require extraordinary remedies whilst the bushrangers are at large. This, perhaps, in a great measure would secure (forced no doubt) fidelity of the servants, or at any rate prevent the scandalous spectacle of large bodies of men, varying from five to twenty, as it has already happened in several instances, allowing themselves to be made prisoners of and tied by one armed man, for one of the bushrangers is invariably stationed outside the door of the premises to prevent a surprise, and another at the house to be plundered. Few men would like to subject themselves to punishment, which should be exemplary in case of misconduct in the presence of this armed banditti, whilst a man may feel very averse from dread of his grade to receive what is termed blood-money.

It may be thought that placing arms on so large a scale in the hands of prisoners is a dangerous experiment. I can only say in answer to this that eighty out of every hundred convicts on country farms are already in possession of arms, and that the remaining twenty have access to them at all times. If the Government adopts the suggestion, or any other plan to meet speedily the present emergency, my object will be answered in thus addressing you.

(Idem, 23rd May.)

I am, Sir,
A "SETTLER."

On Saturday last intelligence was received at Bothwell that Cash and his party had made their appearance the day before at Mr. Gellibrand's on the Dee. They had three horses with them. Immediately the news was received, Mr. Midgely, the district constable, was despatched in pursuit, with a party of military and constables, Mr. Tarleton likewise sent out several parties to scour the district on each side of the Dee, but as yet without success.

(Idem, 26th.)

In our last we mentioned that Cash and his party had visited Mr. Gellibrand on the Dee. We have since learned by a letter addressed to the editor of the *Review*, to whom we are indebted for the information, that this was but preparatory to an excursion to Captain McKay's, and that, knowing the determined spirit of that gentleman, they had recourse to stratagem. They obliged Mr. Gellibrand to ride up, having previously tied one of his men, thus giving themselves the appearance of constables with a prisoner led by that gentleman. The ruse took, and they were enabled thus to master Captain McKay, from whom they took provisions and clothing sufficient to load two horses of his own, and one of Mr. Gellibrand's, together with a field telescope. They then retired, having taken off the boots of the party to prevent pursuit.

They had a tent with them, and stated their intention of lying by for the winter. Their information on every subject connected with the party in pursuit was most accurate. It was stated that they obliged Mr. McKay to travel with them barefooted, and carrying a heavy load, but this is inaccurate; they offered neither injury nor insult to that gentleman.

(Idem, 6th June.)

Although Cash and his party are still at large, the efforts of the constabulary have been crowned with success in the case of the murderers of Ward. These dangerous ruffians, Riley and Jeffs, have been captured near Campbell Town, without the slightest resistance. One of them had been wounded about a fortnight previously, but how, we have not learned, but suppose, from no account of an engagement with them having transpired, that it must have been by accident. Here as is generally the case, cowardice and cruelty were combined. Though they were ready to commit any unnecessary murder, they surrendered without a struggle.

(Idem, 27th June.)

We trust the career of those misguided men is drawing to a close. On Wednesday night a party of soldiers and constables came in with them at Kimberley's, near Ross, and had a smart skirmish having fired several rounds, which the darkness prevented from taking effect. They, however, retreated pursued by the military, both parties having frequently fallen over obstacles in the road, while the bushrangers were obliged to throw away a well-filled knapsack, in order to effect their escape, in which was the telescope so useful to them in the survey of the country. The corporal in command received two slight wounds in the cheek, but the others escaped uninjured. Since then they have appeared at Mr. Gatenby's, but we have not yet heard the particulars.

(Idem, 7th July.)

Cash and his party about ten o'clock on Monday morning stopped the Launceston coach in Epping Forest. They came up in a direction from the South Esk River by a bye-road that leads from one of Mr. Gibson's farms. They desired the coachman to stand and all hands to alight. Mr. Jacobs said to Mrs. Cox and another lady inside, "Don't be frightened, these men won't hurt us." "No, no," said Kavanagh, "we are not the men to hurt women, let's see what you have got," and Jones proceeded to search all hands, but used no violence, only asking for their watches and money, whilst the others stood by and watched. They were all well armed, one was without his hat, and neither had any knapsacks. Jacobs gave Jones his purse with four sovereigns in it and a valuable watch and chain. Jones then asked Jacobs for the key of his box, which was on the top of the coach, unlocked and examined it, and called out, "Martin, do we want any clothes?" "Oh, never mind," said Cash, and Jones only took one pair of trowsers. He took Jacobs' hat and put it on his head. Jacobs said, "Give me that back." "Oh! no," said Jones, "that won't do." Mr. Cox gave him her pocket book, in which were several notes and papers. She said "Give me my book and papers," some of which had dropped on the ground. He returned the book and papers, and she said "Why you are more frightened than us; you have dropped a pound; what a miserable life you must lead." "Miserable be —," said Kavanagh. He then took a pound note from Miss Hilton, two pounds from Mr. Darke, and seven pounds and a watch from Hewitt, the coachman. He then searched the residue of the coach, and asked how far it was to Thornhill; they then departed the same road they came, and the coach drove on, and soon after met a police party coming from Campbell Town, so that there is every possible reason to believe that they had been, and were closely, pursued. The above facts have been sworn to at the Police Office.

The capture of these misguided men is, we believe, now certain, two of the native police having been brought from Sydney, whose success in that country on similar occasions is such as to secure the certainty of capture in this instance. Mr. Morgan, our active chief constable, went off with them yesterday morning to the place where they have been lately most active.

To the Editor of the Hobart Town *Advertiser*.

SIR,—In perusing *Murray's Review* of last week I found a letter signed "Samuel Smith," relative to the affray between the Oatlands police and soldiers and Cash and Co., and knowing your principle have ever espoused the cause of truth and justice, I beg the insertion of a true statement of that affair in your invaluable journal. I need not, I think, attempt to vindicate the conduct of the party, of whom I had the charge, from the base calumnies published in that letter, as I feel assured that a discerning public will draw a conclusion unfavourable to such improbabilities as that letter contains. The following are the facts of the case:—After receiving orders from my superior officer, I left Oatlands in company with three soldiers of H.M. 96th Regiment and three constables of the Oatlands party. On arriving at Mr. Greenbanks' we were joined by a Canadian ticket-of-leave holder, and had information that the bushrangers had also been at Mr. Kimberley's. We then directed our course to the Blackman public-house, and called at

Mr. Hayes's, who informed us that three constables had gone in the direction of Mr. Smith's hut, and on approaching it we heard a noise as of men in loud laughter, and not conceiving for a moment that the bushrangers would have the temerity to stop so near the scene of their late depredations, we approached to see who was there, supposing they were the men who had been pressed laughing at their situation. When within one hundred yards of the door, the dog barked, and it was immediately closed. I approached within about 12 or 14 yards of the hut, and called to Smith, when the door was immediately opened and a man rushed out discharging a double-barrelled piece, followed by two other men. We discharged our pieces upon them instantly, but the night being unusually dark it was impossible to distinguish any object a yard from the door. It was after the double piece was discharged that one of our party fell over the property, exclaiming, "Here's the swag." We immediately followed in the direction they took, every man expressing the greatest anxiety to come up with them. We returned to take charge of the property, when we were again fired upon from another quarter, but could see no object but the flash of their pieces, in which direction we fired. At this time, Constable Carlon came up with two volunteers from Mr. Kimberley's, and that being the only part of Smith's letter that was true, and he fired, we not knowing him from the other party until he called to them, "Come on, cowards," fired at him. They repeated their attack three times, as often changing their position, when they said "Good night, my lads." We followed, lost them, and returned to the hut.

I selected four men to take charge of the property, and went into the hut attended by one of the soldiers. I found two square bottles containing spirituous liquors, which I broke immediately, Smith at the same time making the remark, "Let the party drink it." We then went to the Blackman. Smith, in the presence of both military and constables, said he could lay his hand upon them at any time he liked. Such are the true particulars of the encounter which Smith has so scandalously misrepresented in the letter alluded to, no doubt to exonerate himself in the eyes of the public from any participation in the affairs of those deluded men, with one of whom (Cash) he was working in this district for some time. Two questions are very important. Where was the bulk of the property found at Smith's hut while the bushrangers were at Mr. Kimberley's, and what was Smith doing on the roadside before his hut when the mounted troopers challenged him, that being about the same time the bushrangers were at Mr. Kimberley's house?

I am, Sir,

Your obedient servant,

(Signed) JOSEPH CRESWELL.

Several alarming rumours of offences committed by these desperadoes, and of deadly conflicts between them and the police force out in quest of them, have been rife within the last few days. One was that Mr. Morgan, our active Chief Constable, was shot, for which there was no foundation, we are happy to say. Our information leads us, however, to believe, although not able to vouch for the fact, that on Friday Cash and his mates visited the residence of Captain Horton, near Ross, and that on being resisted, a constable was wounded so severely in the arm that amputation was necessary. Mr. Morgan and the two Sydney blacks, it is added, have gone in pursuit.

THE BUSHRANGERS—KAVANAGH IN CUSTODY.

(Idem, 14th July.)

One of the three escaped convicts from Port Arthur, who for some time have been at large in the bush, keeping entire districts in a perpetual state of alarm and following a course of crime and rapine, is now in custody, under the following circumstances:—On Sunday last, in agony from recent wounds, fainting from loss of blood, and almost famishing for food, Kavanagh, one of Cash's recent associates, gave himself up to an assigned servant of Mr. Clark, in the Marlborough district, and not, as has been rumoured, to Mr. J. C. Clark, of Ellenthorpe Hall. Kavanagh's own story, so far as we can ascertain, is that while sitting down in the bush with his associates, with the butt end of his piece resting on the ground, and the muzzle towards him, his foot either touched the trigger, or it was moved by coming in contact with something else. The consequence was that the charge lodged in his shoulder. After the accident, he was of course deserted by his companions in guilt. He then endeavoured, but in vain, to obtain surgical assistance, and gave himself up as described. It is currently stated in the district which has been the scene of the bushrangers' operations that Cash and Jones quarrelled with Kavanagh after their visit to Captain Horton's, when a constable was wounded, and that the injuries had been inflicted by his companions. However, this may be, Kavanagh is now in the custody of the police at Bothwell, and will be brought to Hobart Town as soon as he can be removed.

KAVANAGH, THE BUSHRANGER.

(Idem, July 18th.)

This wretched man, who gave himself up badly wounded, the particulars of which were recorded in our last, was conveyed to Hobart Town from Bothwell gaol on Saturday in a litter of straw, and bolstered up with blankets, in a cart, and under a strong military escort. He is now in gaol, and although in much pain, has rallied considerably from the state of exhaustion with which he was labouring from loss of blood and lack of surgical attendance. We learn that the appearance of the gunshot wound is such as to cast discredit on Kavanagh's own story, the probability being that the gun was not in his own possession at the time, but discharged by some other person at a distance from him. The wound, we hear, has now assumed a healthy appearance, and there is no likelihood of amputation being resorted to as was at first deemed necessary. He is not yet sufficiently recovered to undergo an examination. The rumour, so rife at first that the man in custody was not Kavanagh, and next, that he had died at Bothwell, are set at rest. So great was the rush to see this man on arrival, that it was with difficulty order could be preserved, and the anxiety to see him was such that the railing in front of the gaol was broken down by the pressure of the crowd. The prisoner is rather good looking and above the middle size. He was brought to this colony from Sydney, and is a native of Carlow, in Ireland. Kavanagh had lost a little finger from some cause or other before transportation, and is so otherwise marked that renders identity certain. No tidings have been heard of Cash or Jones, who are still in the bush, numerous parties being out in pursuit. One hundred acres of land and as many sovereigns in addition to the former reward of fifty sovereigns each, with free pardon and a passage from the colony, are now offered for their apprehension, or such information as may directly lead to so desirable a result.

(Idem, 25th July.)

To the Editor of the Hobart Town *Advertiser*.

Sir,—In your last publication I observed some remarks relative to the bushrangers' visit to Captain Horton's, it appears you have been misinformed. I shall therefore give you some little information of these men, Cash and Co, and their proceedings at Capt. Horton's. Their first object was to tie the whole of the men, this is their usual custom. There was some difficulty in their way owing to the gates being secured. Jones called out to the cook, William Jackson, to open the gate. This man suspecting they were bushrangers ran to his master. Mrs. Horton immediately made her escape through the window, and ran to Mr. Parramore's. One of the men, Frederick Weigh, made his escape also, and ran to Ross to give information to the police and military, by this means the bushrangers' time was very limited, and little was taken in consequence, viz., Capt. Horton's watch, a ham, and other articles. It was not a constable that was shot, but the cook, William Jackson, for he had no sooner ran away to give the alarm, than Jones jumped over the gate and met him in the hall, and immediately shot him in the shoulder, the ball fortunately passed through the fleshy part of the arm, and he is fast recovering. Favourable hopes are given by his medical attendant, Dr. Valentine. There is every reason to believe that these men intended to take the life of Captain Horton, but for the earnest solicitation of a man named Seggins. Cash at this time had his piece pointed, swearing immediate vengeance on the Captain. My reason for giving this information is principally that those men who became conspicuous for their brave conduct should be held in consideration, and there is little doubt but by the influence of the Press some indulgence is likely to be awarded to these deserving men.

A CORRESPONDENT.

KAVANAGH, THE BUSHRANGER.

This prisoner is not, as is generally supposed, committed for trial, but will be brought before the magistrates for examination when sufficiently recovered from his wounds. He is, however, doing well and recruiting rapidly. There are several idle rumours with regard to this prisoner. He does not refuse to take food; his arm has not been amputated, nor is there the slightest necessity for such an operation. There have been rumours that Cash, his late associate in crime, has been seen alone and unarmed in the neighbourhood of Macquarie River, but the fact is no authentic information has been received of the movements of either Cash or Jones since the capture of Kavanagh.

(Idem, August 1st.)

The terror created in some parts of the interior in the committal of numerous acts of plunder and outrage by Cash and his party has almost entirely subsided. As our readers

are aware, Kavanagh is in custody, but it is not correct that he has made any revelation as to the fate of his companions. It is remarkable, however, that if Jones and Cash be still living and at large, they have perpetrated no fresh outrage since the surrender of Kavanagh. Of Jones, indeed, no clue whatever has been discovered, but as we stated in a recent number, a person resembling Cash has been observed alone and unarmed in the neighbourhood of the Macquarie River. The booty of these marauders was too frequently taken possession of by the police, and at too recent a period prior to their disappearance, to render it possible that they can be in concealment leading a life of inactivity, and subsisting upon the fruits of their robberies.

Mr. Morgan, our active and energetic chief constable, who, it will be remembered, went in quest of the bushrangers with two New South Wales blacks, has returned to Hobart Town. The usefulness of these sable auxiliaries in their power of vision and tracing foot prints in the bush are described as next to miraculous. They have been left at Bothwell by Mr. Morgan, and we believe several parties of police who have been out in quest of the bushrangers have been called in.

EXAMINATION OF KAVANAGH.

(Idem, August 15th.)

On Friday, a crowd assembled near the Police Office, in the expectation of Kavanagh being brought over from the gaol for examination. In this they were disappointed, for the examination took place within the precincts of the prison. Of the many charges against the prisoner, only two were gone into, viz., the robbery of the passengers on Mrs. Cox's coach, and the robbery and outrage committed at the residence of Captain Horton, where one of that gentleman's servants was fired at and dangerously wounded. The prisoner was not finally committed for trial, the examination being adjourned. Since Kavanagh has been apprehended, no authentic account of his companions has been received. Where they are or what they are doing is a mystery which seems to grow thicker every day. The prevailing opinion is that Kavanagh has shot them both, and received his wound in the encounter, but we confess that there are several reasons which renders this impossible. Cash and Jones, if living, are hiding in holes, no better off than the beasts that perish, and in a state of starvation.

(Idem, August 18th.)

If the information sworn to on Tuesday last, at the Police Office in this city, be correct, Cash and Jones have resumed their career of depredation. Hannibal, the driver of the Launceston mail cart, states that on the morning of that day, when between Jericho and Spring Hill, on his way to Hobart Town, he was stopped by two men, armed with double-barrelled guns. He believed the robbers to be Cash and Jones. The man whom he supposed to be Cash stood at the horse's head, while the other took from his pocket the sum of eleven shillings and sixpence. This man, whom he supposed to be Jones, mounted the vehicle and threw into the road the deponent's great coat and the cushions of the gig. Cash then asked for the mail bag, which, having obtained, he opened. After ransacking the contents of the mail for about an hour, he tied up a number of letters and newspapers in a handkerchief, and then returned Hannibal the eleven shillings and sixpence in cash, but took from him the time-piece and placed it round his neck. From the information read in Court, and which had been taken in private, it did not appear that Hannibal had any previous knowledge of Cash or Jones so as to know them, nor indeed was any fact deposed to as to their present appearance. The one being remarkably tall, the other of low stature, and consequently very dissimilar. Collateral evidence was afforded in enquiries which Cash made respecting his wife, Kavanagh, and of the New South Wales blacks, but the fact being notorious, these questions might be asked as a blind by any cunning villain on the road. At the time of the alleged robbery, on Tuesday morning, there was a clear atmosphere and a bright moon, and by the aid of this it was that the fellow overhauling the letters was enabled to read the superscriptions and estimate the probable amount of the remittances, making his selections for the bundle which he carried away.

(Idem, September 1st, 1843.)

Lawrence Kavanagh has been committed on two charges, one for the coach robbery, and the other for shooting at William Jackson, Mr. Horton's man.

Martin Cash, the most desperate as well as the reputed leader of the gang who have been for a long time armed in the bush, has at length been captured in this city, under circumstances and with calamitous results, which furnish additional proof of the reckless and daring character of this colonial brigand. It may be remembered that Cash's wife was tried for an offence some time ago and convicted, but was subsequently libe-

rated. The authorities knew that Cash had a strong affection for this woman, and under these circumstances there did seem some probability that in order to see her, he might even risk a visit to Hobart Town. After her liberation the woman took up her abode in Harrington-street, near the watch-house. It need not be added that those who direct the police force have ever since taken care that efficient constables should be stationed on this beat, and that the police themselves, from the large rewards offered by Government for the apprehension of Cash, had a sufficient inducement to keep a sharp look-out. As time advanced, and particularly after the apprehension of Kavanagh, the probability that Cash would venture into the city almost evaporated. On the robbery by Cash and Jones of the Launceston mail cart about a fortnight ago, probability was again strengthened, from the anxious enquiries of Cash after his wife, as deposed to in the information of Hannibal, the guard, and reported in our columns at the time. On Tuesday last, the constables on this beat were Robt. Agar and Thos. Thomas, and to our distant readers it may be necessary to state that the constables in this city have neither uniform nor badge, but wear such clothes as may accord with their own taste or circumstances. About $\frac{1}{2}$ -past 8 o'clock, Agar and Thomas were accosted by two men, one tall and stout, dressed in sailor's clothes, the other of low stature. The latter man enquired of the constables if they could direct them to the residence of Mrs. Cash. One of the constables pointed to the house, and the little man went in that direction, whilst the tall man walked on the footpath at a slow pace. This was in Harrington-street, about a hundred yards from the watch-house.

The circumstance excited the constables' suspicions, and they walked quietly after the tall man, who increased his speed on hearing footsteps in his rear, and turned the corner into Murray-street, still increasing his speed. Agar and Thomas still dogged him, when the man suddenly turned round and discharged a large pistol which he pulled from his belt. Thomas instantly returned the fire, but neither shot took effect. This occurred nearly opposite to the residence of the Rev. Mr. Miller, and at a short distance above the Birmingham Arms, and close by the door of Mr. Charles Cunliffe, house carpenter, who is employed in the necessary work for the cathedral now building in Church-street. On the first discharge of pistols, Cunliffe rushed from his dwelling and saw a man running, whom he pursued, the two constables running, shouting "Stop thief." Cash, for such the man pursued proved to be, drew a second pistol from his belt, and presented it at Cunliffe, who, having no firearms, drew back for the instant. Cash, a noted fast runner, turned the corner into Brisbane-street, followed by Cunliffe and the constables, others joining in the hue and cry as the chase proceeded. In this way they ran down Brisbane-street, and on passing Roxborough House, near the crossing to Elizabeth-street, the pursuers were joined by Mr. Alfred Oldfield, a tutor at Mr. Canaway's grammar school in Murray-street, but residing with his brother, who keeps an academy at Roxborough House. Cash gained ground on his pursuers, and crossing Elizabeth-street, kept the route down Brisbane-street, evidently making for the Government paddock. Had he reached which he might have had a chance of escape, but he was not so doomed. After crossing Argyle-street, he turned to the left, mistaking, as it is conjectured, the entrance to the rear of private premises for a back street which might give him a nearer cut to the paddock. He speedily discovered his mistake, and turned back. By this time Cunliffe, still first in the chase, was within eight or ten yards of him, and Oldfield and McDonald close up with Cunliffe. Continuing his flight, Cash passed the York Tavern, and about this time the hue and cry brought Mrs. Smith, the landlady of the Old Commodore Inn, into the street. In the bar was Constable Winstanley, who had but a few hours before arrived from Ross, where he had been in pursuit of Cash and his mate for the last eight or ten days. Hearing the shout of "Stop thief," Winstanley came to the door just in time to seize Cash, who instantly fired a pistol, and the ball entering the constable's body, he fell, exclaiming, "I'm a dead man." This was the work of an instant, but it enabled Cunliffe to come up, who immediately grappled with Cash, and threw him down. While struggling on the ground, John M'Donald (a tailor, we believe) rendered effective service or assistance to Cunliffe, while Mr. Oldfield held his legs to prevent him from injuring Cunliffe and McDonald by kicking. McDonald on observing that Cash had grasped another pistol and was preparing to discharge it temporarily let go his hold, when Mr. Oldfield abandoned the legs of Cash in order to catch hold of his hands. The pistol at this time was discharged, the ball wounding Cunliffe slightly in the hand, and as Mr. Oldfield was leaning over Cash, it struck the left side of his nose, entering the right cheek and lodging under the right eye. The two constables, Agar and Thomas, who first gave the alarm, now came up, and by their assistance, and with the aid of others around, of whom we may mention Mr. Thomas Moss, Cash, after a most determined resistance, was secured. Mr. Gunn, superintendent of the Prisoners' Barracks, immediately despatched a sufficient force, and Cash was escorted to the prison, where he was safely lodged and put in irons, his face, from the wounds received in the struggle, being so completely disfigured, as to render identification impossible. His identity, however, was put beyond doubt by the information on oath of Charles Wellings, taken before Mr. Gunn. Wellings proved that he was formerly

prisoner of the Crown, under sentence at Port Arthur, and slept next to Martin Cash, in the exempt room, for about fifteen days ; he was afterwards working in the same gang with Cash, and knowing his person well, had no doubt whatever of the man now present being Martin Cash.

ADDITIONAL PARTICULARS.—DEATH OF WINSTANLEY.

(Hobart Town *Advertiser*.)

Peter Winstanley, the constable shot by Cash, died yesterday about 11 o'clock in the forenoon. It is the opinion of the medical gentlemen that the ball, which entered the left side, passed through the anterior lobe of the lungs ; it was a small pistol ball, and passed so nearly through that it could be distinctly felt by pressure on the right side.

The unfortunate man was a prisoner of the Crown for life, but his good conduct had obtained for him a ticket of leave, and admission into the police ; he had neither wife, family, nor relatives in this colony. An inquest on the body will be held this day.

[Extracts from Murray's Hobart Town *Review*.]

(January 27th, 1843.)

The usual sameness of our police reports is interrupted this week by the escape of three men from Port Arthur, who having got into the interior and obtained arms, may now be fairly denominated bushrangers. The police are, however, actively engaged in pursuing them, and by the prompt measures of the Government, in offering rewards and other measures, we have no doubt of their immediate capture.

(Idem, April 7th.)

Early on Wednesday morning a detachment of thirty-five picked men of the 51st K.O.L.I. and two officers proceeded to the supposed resort of the bushrangers. Upwards of one hundred constables are out in the same direction for the protection of the interior. It is a matter of perfect astonishment how three outlaws can have so long escaped capture, but it would seem impossible that they can now evade the numerous parties out in pursuit of them.

(Idem.)

These men have actually succeeded in effecting, what upon every principle of reason would be considered an impossibility, the exciting so favourable an impression on the public mind, that there is a general wish that they may succeed in getting out of the colony ; their hands being unstained with blood ; their guarded civility to every female who may have fallen into their hands ; their general deportment so entirely free from any portion of that ruffianism which has heretofore, and might be expected to accompany their lawless career, had, as we have said, created so strong a disposition in their favour that there is no doubt should they be captured alive, their immolation on the scaffold would only add to the general feeling with which that dreadful punishment is now viewed throughout the whole civilised world ? And what if they should escape from the colony, their fate would be as doomed as if the public feeling was violated by the dreadful exhibition of public deprivation of life. Escape and death are certain concurrents of retribution. Justice requires that they shall die ; their escape would assuredly fulfil it.

We regret to see a contemporary exclaim loudly against the Government for suffering those men to escape from Port Arthur. What sort of increase of the horrors of Port Arthur discipline would our contemporary invent ? Would he chain the miserable beings to each other day and night, and even then, frightful as would be the system of increased means of prevention against escape, as he would have, would even the torture to which he would extend its means effect his purpose ? This journal is the avowed opponent of Sir John Franklin's Government, but in this matter of the escape of the prisoners we see nothing to condemn.

The Commandant of Port Arthur is known to carry out the discipline of that place to the utmost point consistent with ordinary humanity. No measures have been neglected to prevent escape, the only escapable part being guarded as far as it can be by ferocious dogs to give alarm, and soldiers to act upon it. To what further extent would our contemporary carry the dreadful system already in adoption there ? And after all what is the mighty mischief that has occasioned all this outcry—an outcry calculated to do the colony so much injury in respect to respectable immigration, upon which alone its rescue from its present depressed state so essentially depends. Has one single drop of blood been spilt ? Has one single female been offered the shadow of insult, and no personal injury having been sustained ? What is the amount of the pecuniary loss ? Why, with

all the long catalogue of names our contemporary so lachrymously gives, one or two hundred pounds would replace all. Whether the Government ought or ought not to remunerate the losses is quite another question, with which at present we do not intend to deal. In respect to the question put by our contemporary, whether these are the returns to be expected by the colonists for resigning for so much of the privileges, which are their birthright as Englishmen, a very short answer will suffice. First, they have resigned no privileges ever possessed by them; and secondly, but for the continuance of the transportation system to this colony, there would have been so much real want and distress that free bushranging instead of by convicted felons at large, would have prevailed, not, as our contemporary admits, in this present case in one small district, but throughout the whole colony. As to Hobart Town our contemporary may assure himself that should his exclamation have the effect of obtaining what he seems so desirous of putting an end to—the transportation system here—and to the thousand pounds a day of British expenditure consequent thereon, he may be assured that property will be almost valueless, that grass will grow in the streets of this town, and that actual want and misery will universally prevail.

(From the *Colonial Times*.)

It is the duty of the Government to take care that the charge delegated should be entrusted only to persons capable of maintaining that discipline from which it is of paramount importance that convicts could not be released until they have given proofs of amendment. To maintain such discipline requires on the part of the master, or ruler, not only moral conduct, but firmness, and that common amount of natural courage (query moral?) the absence of which must excite contempt in the minds of the convicts. The Governor considers that a lamentable deficiency of these qualities has been betrayed.—See Colonial Secretary's letter to Mr. Shone.

“Tell that old fool Sir John * * * the bushrangers' message to the Governor.”

The annexed letter, addressed by the Colonial Secretary to Mr. Shone (from which our text is extracted), merits the most serious attention of every individual in this colony, who has the slightest interest in maintaining the social compact between the Government and the subject, by which the latter is entitled to look for protection in the safe and quiet enjoyment of his liberty and property in return for his obedience to the laws, and his contribution to the expense of maintaining a Government. The British Government has thought proper to make this colony the receptacle not only for all the transported offenders of the mother country, but also for the incorrigibly trebly-convicted robbers and murderers of the only other colony which Britain lately appropriated for the reception of convicts.

The pecuniary advantages to be derived from the British expenditure in maintaining and controlling these offenders is considered to be a sufficient compensation for the moral contamination and degradation to which this colony is subjected, as well as for the privation of their political rights as British subjects, which the free inhabitants have to endure; but it must not be forgotten that in making use of this colony for the coercion of offenders from all other parts of the empire, it is the duty of the British Government to take care that necessary provision is made for the safe custody of those offenders who have given proofs that they being allowed to go at large is inconsistent with the safety of the free inhabitants. For the securing of this end it is not only necessary to provide the means, but to take care that the charge of directing the application of them be delegated to persons capable of using them with judgment and energy, which requires on the part of the person entrusted with the supreme, and those to whom he delegates that authority, not only the name of benevolence and a reputation for science (which is neither here or there), but all the qualities enumerated by the Colonial Secretary, and for the alleged lamentable deficiency of which Mr. Shone is subjected to such an arbitrary increase of injury; aggravated by insult from the authority to which he was entitled in the first instance to protection and (under the loss consequent on the lamentable deficiency of the authority in every requisite qualification for the important duties confided to it) to compensation, or at least to sympathy and condolence.

Let Sir John Franklin apply to his own conduct, and that of his officers, in the matter of these outlaws, the standard by which he has ascertained that Mr. Shone was a fit subject for insult and additional pecuniary injury in the shape of punishment, and let his own conscience tell him what he and his Government have by the same rule deserved from the people in this colony, and from the sovereign whose authority and duty have been so unfortunately delegated. Cash and his mates have already measured his acts by the standard which he applied to Mr. Shone's conduct, and the result was that contempt, the existence of which for Mr. Shone in their minds, or in the minds of every convict in the Island, would be of little consequence, to the Governor. It is deplorable that Sir John Franklin should continue under the delusion that an opinion different from that so insolently expressed by Cash, is entertained by any portion of the community which he rules. The letter to which we refer is no less an injury and an insult

to every settler in the island than it is to Mr. Shone, and it is high time that the community should take it up as a public matter of very serious importance, and make Sir John Franklin acquainted with their sentiments in very unequivocal terms. Here we have had three outlaws suffered to escape from a place which has been represented by the authorities to be so secure and well guarded that escape was impossible. They travel unarmed past several military and police stations—there is no charge brought against those having the custody of these men to ascertain whether they were guilty of negligence, or whether the place of their confinement was so insecure that the safety of the peaceable inhabitants required that it should no longer be trusted to for the confinement of such desperate characters as are there in sufficient numbers to spread murder and desolation over the whole Island. There is no enquiry into the police authorities at Richmond, Prosser's Plains, and Brighton, where they passed through at their leisure and apparently undisturbed, until they reached the haunts that were known to Cash, where they soon obtained arms and other means of carrying on their depredations, without fear of resistance from the peaceable unarmed settlers.

There is no notice taken of the cowardly conduct of the superior force of armed police stationed at Mr. Stoddart's for his protection, and the capture of the bushrangers—no, they are above suspicion, for they are official characters, but Mr. Shone is only a settler. Therefore, although he is without arms, unprepared and taken by surprise, he, of course, was not only guilty of cowardice, but he and all the persons in his house must have been in league with those desperate characters and accessory to the robbery of his own property; surely such an idea never entered the head of the Colonial Secretary. He must have been indebted to Mr. Mason for this insane and insolent suggestion, but neither Mr. Mason nor the Colonial Secretary has the most remote suspicion of the insinuation. It was understood that Mr. Mason even endeavoured to prevent soldiers being stationed at Mr. Shone's, after the fearful threats which the bushrangers had made to destroy him and all his property, in consequence of him, his wife and daughter having identified their property found in the possession of Cash's wife, the apprehension of whom was an act of folly quite worthy of the authorities acting under the present government of Van Diemen's Land, and depriving themselves of every certain means of tracing Cash to his haunts. While these robberies are going on with impunity. Sir John is on a tour of pleasure, trying to pick up among the people of the North a little of that respect, the total absence of which on this side of the Island, has been the cause of much annoyance to him.

The Chief Police Magistrate is also on leave of absence for several weeks. There are several straggling parties of police out watching; it is said the bushrangers do not come near them. There are some soldiers stationed for the express personal protection of Mr. Mason at New Norfolk, and Mr. Forster at Brighton. Major Schaw asked for a similar protection for himself, but was refused, because the bushrangers have left his district. With the exception of two soldiers at Mr. Shone's, we can hear of no other military being employed either for the protection of the remote settlements, or the pursuit of the outlaws; the only energy displayed by the Government is in attacking with insult or deprivation of his servants, any settler who is stripped of his property by the bushrangers. Another very worthy stroke of policy is fining settlers who are so foolish as to accommodate the police at remote settlements with refreshment or rations, without first obtaining a butcher's licence. There certainly never was, since the first establishment of governments, a parallel to that which rules the colony. It is said that the friends of Capt. Montagu have advised Sir John to his present course of conduct, for the purpose of bringing him into hatred and contempt; and does not this report show that they quite agree with the opinions conveyed in Cash's message, and does it not prove the necessity for the colonists coming forward for the protection of the public interests, by laying before the British sovereign a true picture of the sort of Government to which the very important interests of the empire are entrusted in this colony, for it is not the misery and ruin of the free colonists alone that is involved in the want of energy and capacity? "But the whole system," and all the objects of the criminal justice of Great Britain, are likely to be defeated. It has just been suggested to us that in insulting and injuring the settlers who complain of being robbed by the bushrangers, Sir John is acting on the same principle as the Ministry who shot Admiral Byng, in the vain hope that the public here and elsewhere will be deceived as to the parties who are really deserving of censure for the colony being to all appearance at the mercy of three bushrangers.

The following are the letters above referred to:—

To the Editor of the *Colonial Times*.

SIR,—As the public have been considerably excited in consequence of the Governor having withdrawn his assigned servants from Mr. Shone, and as acting upon a deposition of Mr. James Bradshaw, taken before Mr. Mason, the police magistrate of New Norfolk, he has thought proper, in addition to the hardships inflicted on Mr. Shone, to censure him and all the parties present at the time of the robbery in language both insulting and

disgusting, I feel it an imperative duty to come forward and mention a few facts which I am well aware His Excellency, through his underlings, is acquainted with, and to the truth of which I am ready to depose; and in order that the respectable settlers and your readers generally may be fully acquainted with the sympathy and assistance they are likely to obtain from the Government in case of a similar attack, I beg to annex a copy of the extraordinary document forwarded by His Excellency to Mr. Shone:—

Colonial Secretary's Office,
21st March, 1843.

SIR,—I am directed to acquaint you that the Lieut.-Governor has had before him the deposition of Mr. James Bradshaw, taken before the police magistrate at New Norfolk, relative to the robbery at your house by three bushrangers on the 22nd February last. After a perusal of the deposition, His Excellency is of opinion that the conduct of the whole party on the occasion alluded to was reprehensible in the highest degree, and calculated to increase the confidence of the bushrangers. His Excellency has observed that in the first instance six men were left with only one armed bushranger, and that subsequently there were fifteen men guarded by two bushrangers, one of whom had a gun in each hand. His Excellency, indeed, cannot but be apprehensive that all the individuals concerned were influenced by a culpable indifference to the public safety, if not a desire to favour the depredations of these men, who were, it appears, permitted to plunder the house without resistance being offered by those present, many of whom remained passively looking on.

It must not be forgotten that in allowing settlers to avail themselves of the services of prisoners of the Crown, it is the duty of the Government to take care that the charge which is thus delegated to private individuals should be entrusted only to persons capable of maintaining that discipline from which it is of paramount importance that prisoners should not be released until they have given proofs of amendment.

To maintain such discipline requires on the part of the master or ruler not only moral conduct but firmness, and that common amount of natural courage the absence of which must excite contempt in the minds of the convicts. In the present instance, the Lieut.-Governor considers that a lamentable deficiency of these qualities has been betrayed, and His Excellency is therefore of opinion that it can be no longer safe or proper to entrust to you the guardianship of convicts, and His Excellency has accordingly directed instructions to be issued for the immediate withdrawal of your assigned servants.

I am, Sir, your obedient servant,
J. W. BOYES.

Mr. Shone, New Norfolk.

To the Editor of the *Review*.

Mr. Editor,—Much has been said in the public papers about the three bushrangers, Cash and his accomplices, their unlawful depredations, and the inertness of the police, but these people who talk so fluently of guns and pistols, methinks have not seen the bush, or at most, when bowling along in their gig, or having a bird's-eye view from the top of a stage-coach. I quite agree with you that the police have exerted themselves as much and more than could be expected from their limited knowledge of the sequestered haunts of the bushrangers. They are kept perambulating the Queen's highway, guarding probationers and attending police offices, and let them be as courageous as lions what could they do against well-armed determined bushrangers? Is it not notorious that armed as the police are with their mouse-trap of a musket, which when made to go off they must stand to be shot at having no other weapon except they play clubs or trumps with the butt-end? A poor defence against well-armed bushrangers. Now, Mr. Editor, I beg to submit a very simple arrangement: Let each police magistrate be instructed to select a steady, confidential constable with three others, whom he may rely upon in time of need, to act under his command armed with carbine, bayonet, and brace of pistols; let it be impressed upon them not long shot practice; let them range their respective districts for twelve months, at the expiration of which, besides the usual reward for the apprehension of absconders, that they receive a free or conditional pardon. They would get behind the delinquents instead of going after them, and ferret them out of their retreat, and thereby prove a complete check and prevent hundreds from absconding.

(April 28th.)

CRIMINAL COURT.

Before His Honor Mr. Justice Montague.

Mrs. Cash, apprehended by the Hobart Town constables, committed on the charge of having in her possession certain articles stolen by the bushrangers, identified as the property of Miss Shone, was this day discharged by proclamation.

(Murray's *Review*.)

The *Advertiser* has this little episodical flourish as to Captain Booth's valuable services at Port Arthur.

Captain Booth, who is in the discipline and control of the penal settlement at Port Arthur, has met a most gratifying reward in being fully appreciated proportionately to his merits by the proper authorities at home. Doctors differ. Cash and his mates declare that they were driven to their lawless course which inevitably ensures their death by those unendurable severities carried out at Port Arthur, but perhaps the least said of them the better, even although the *Advertiser* has, we think, thrown down the gauntlet of discussion.

The humble petition of Thomas Shone, of New Norfolk, in the island of Van Diemen's Land.

Respectfully sheweth,

That your petitioner arrived in the colony in the year 1816, and forthwith took possession of a location of land granted to him by Governor Macquarie, and your petitioner has since that period received other grants from subsequent Governors for improvements, and your petitioner from 1818 until lately resided peaceably on the land first granted him.

That your petitioner from the period of his arriving in the colony has, in addition to his free servants, always under his charge convict servants that have been assigned to him by the local Government.

That your petitioner has nearly three hundred acres of land under cultivation, large flocks of sheep and large herds of cattle; that from his first commencement as a farmer your petitioner's conduct towards his assigned servants has given satisfaction to the Government, there not being a single instance of censure recorded against him until the 21st March last past.

That notwithstanding the large sum of money, upwards of five hundred thousand pounds, as your petitioner has been given to understand that is annually expended by the home Government for the safe custody and maintenance of the convicts, and upwards of thirty thousand pounds annually drawn from the colonial revenue for the protection of the colony by means of the police, yet your petitioner avers that the colonists are not sufficiently protected, neither from the runaways from the various stations and road parties, nor from the more desperate outrages of men who, having nothing to stake but their lives, not unfrequently escape from the penal settlement of Port Arthur.

That about four months since three desperate characters, named Cash, Kavanagh, and Jones, escaped from Port Arthur, and forthwith commenced plundering in a most systematic manner the settlers in the districts of New Norfolk and Brighton, not unfrequently by drafts huddling together in one room from five to twenty persons, whom they have usually bound and threatened with immediate death if the least resistance should be made.

That armed bodies of free and convict constables have been sent in pursuit of these men; that on one occasion five armed constables were stationed to protect an inn called the Woolpack, which the three bushrangers daringly gave notice that they intended to attack, and that nevertheless these desperate men did attack the inn, and bound the inmates together, and then fired upon the armed constables, who hurriedly returned the fire, when one of the bushrangers was seen to drop from a bullet he received, yet with the advantages of five to two the armed constables almost immediately ran away, when one received a wound in the back, and another a wound in the fleshy part of the leg.

That some short time after the attack on the Woolpack, namely, on the evening of the 22nd February, your petitioner with his wife and a friend, whose age is sixty-six years, were sitting in an inner room of his residence, when a knock was given at the front door.

That your petitioner's wife went to open the door, but previous to so doing, asked who was there, whereupon a Mr. Bradshaw, a neighbour, who was compelled by the bushrangers to answer, replied, and his voice being recognised, the door was opened, and your petitioner called to him and his party to come into the inner room.

That forthwith, to your petitioner's surprise, Mr. Bradshaw and his servants all tied together were abruptly thrust into the room and directly ordered to sit down on the floor, and were then told by one of the armed men that the first that moved would be shot.

That the three men were each armed with a double-barrelled gun and a brace of pistols; that soon after Mr. Bradshaw and his servants had been brought in, one of the bushrangers left the room, and shortly returned with your petitioner's servants, namely, four free men, one ticket-of-leave, and two assigned convicts, all bound together, who were also compelled to sit on the floor, and instant death threatened to the first who moved. That again shortly afterwards your petitioner's son and daughter, a young lady and two gentlemen, visitors from Hobart Town, came to the house, when the bushrangers hearing their approach, one of them went out and compelled them

to come into the room and sit down, the same threat being held out to them as to the others; that during the whole of the time the bushrangers remained in the house, one of them was stationed at the door of the room with his finger upon the trigger of his piece, and a second was at his side, who had his piece also ready for immediate action. That one of your petitioner's servants talking rather loudly, was told that if he again spoke a word he would be shot, and that he might thank the presence of the ladies, or he should not receive a second caution. That your petitioner and nearly all the inmates were robbed, and property taken from the dwelling in all to the value of from seventy-five to one hundred pounds.

That your petitioner was taken by surprise, that there was not a firearm nor any weapon of defence in the house, that had either your petitioner, his son, or the aged friend, and the two visitors, had either or all of these five attempted a rush to secure the bushrangers, the attempt would probably have terminated in instant death to everyone; your petitioner requests your Lordship will be graciously pleased to peruse the accompanying document.

That Mr. Bradshaw and your petitioner made depositions of the robbery before Mr. Mason, the police magistrate of the New Norfolk district, who communicated with the chief authority, in consequence of which your petitioner, without any reference being made to him, or explanation called for, received a letter from the Colonial Secretary, wherein the latter gentleman informs your petitioner that he is directed by His Excellency to acquaint your petitioner that all that were present during the robbery were deficient of firmness, moral conduct, and natural courage, and guilty of a culpable indifference to the public safety, if not desirous of favouring the depredations of the bushrangers, and your petitioner especially is denounced as a person unsafe to be entrusted with assigned convicts, and as your Lordship will observe by the letter of Thomas Mason, Esq., dated the day after that of the Colonial Secretary's, your petitioner's assigned servants were forthwith removed.

That a portion of the property stolen from your petitioner, his wife, and daughter was found by the police in Hobart Town in the possession of the wife of one of the bushrangers, and your petitioner's wife and daughter identifying the stolen property, your petitioner was threatened by the bushrangers. That your petitioner received a copy of a letter addressed to him by the three men, that this letter was written at the establishment of Mr. Charles Kerr, of Dunrobin, whose men they had tied together, and whose house they were then plundering. That your petitioner has not seen the original letter that was addressed to him, which must have been signed by some one without his authority. That when at Mr. Kerr's and other places, the bushrangers frequently swore they would destroy your petitioner and his family if they prosecuted the woman.

That your petitioner following the advice of his friends, intends at a future period to give publicity to the petition in this colony, and entreats your Lordship to believe, not out of any disrespect to the high office your Lordship holds, nor for one moment imagining that should this document ever reach your Lordship, that you would deny your petitioner that justice which his case demands; but for the purpose of your petitioner clearing himself among his fellow colonists by the publication of the annexed documents, of the stigma cast upon his character by the chief authority of his being deficient in moral and natural courage, and of being a supporter of the bushrangers, and so degraded in the eyes of the Government as even to be unfit to have charge of assigned convicts, and in order by giving publicity on the spot to this petition to your Lordship, your petitioner may openly defy refutation or contradiction; and your petitioner draws your Lordship's attention to the length of time that is required in appealing to the Secretary of State, and that however just and honourable the Secretary of State may be, still from the circumstance of such appeal as this present being generally accompanied with secret *ex parte* explanations from the authorities chiefly interested, the honourable the Secretaries of State have been too frequently misled, and have oftentimes inflicted still deeper injury on the applicant seeking justice through them.

And your petitioner is without redress in the colony, therefore trusts your Lordship will think proper that fair and equitable justice should be done your petitioner, firstly, for the property stolen from his dwelling by the Crown prisoners absconding from their place of punishment; secondly, for the harsh and unjust deprivation of petitioner's assigned servants; thirdly, for the serious direct expenditure in maintaining his family and self at a distance from home; and lastly, the indirect loss caused at your petitioner's farms and stock station, in consequence of your petitioner's absence, all of which loss your petitioner affirms is solely attributable to either the negligence, the insufficiency, or the culpability of those whose duty it is to keep in security the doubly-convicted offenders under punishment at Port Arthur.

And your petitioner as in duty bound will ever pray.

(Signed) THOMAS SHONE.

The Secretary of State for the Colonies, &c., &c.

We, the undersigned free persons, were present during various portions of the time when the bushrangers, Cash, Kavanagh, and Jones, attacked and remained at Mr. Shone's house at the Back River. The whole of our party were unarmed. The bush-

rangers were thoroughly armed. Eleven of our party were bound and made sit on the floor. One fowling piece was always ready for the shoulder, and it would probably have been instant death to several had any movement been made. Were we to be placed in the same situation again we should act as we then did. There was not a possibility of our taking them. We were five only all told, sitting on chairs, and each of the five could have been shot before any one could have reached the door, or before the men who were tied could have risen from the floor.

C. JACKSON	EDWARD KNIGHT	THOMAS SHONE
F. A. SHONE	EDWARD KNIGHT	J. BRADSHAW
J. MCKAY	BENJAMIN STOKER	H. FERGUSON
H. RUFF	THOMAS STORIE	J. DAILY
THOMAS SNEED	C. BOSWELL	R. HEADNEY

TO MR. THOMAS SHONE, BACK RIVER.

The Lieutenant-Governor having directed that the prisoner servants assigned to Mr. Shone shall be withdrawn, Mr. Shone is directed to return the men to this office forthwith.

(Signed) THOMAS MASON, P.M.

MR. SHONE,

In consequence of my observing in the public journals that my wife is in custody charged with having property in her possession belonging to you, I hereby caution you not to prosecute her, or if you do, we will visit you, and burn you and all that belongs to you.

(Signed) CASH
KAVANAGH.
JONES.

[Extracts as marked in the *Advertiser*.]

SUPREME COURT.

Before Mr. Justice Montague, and a Civil Jury.

Before the business of the trials began, the Attorney-General brought to the notice of His Honor an application which had been forwarded to him by Mr. Shone, in reference to the expenses of his daughter as a witness in the case of the Queen *v.* Cash. His Honor tartly replied that was not a judicial matter. He declined to say anything on the subject. His Honor said that he could not see why so many witnesses should be dragged before the Court, the expense attending which was very great, and the Government had been lately complaining of it. In this case an expense of some twenty pounds would be incurred, while the witness Mr. Gibbs and the man who opened the door were all that were necessary; but it was for the Attorney-General to use his discretion as to the witnesses that might be required. His Honor threw this out as a suggestion for the consideration of the Attorney-General, and expressed his regret in having to do so. The Attorney-General was placed in a very awkward position by His Honor's observations. How frequently did it happen where prisoners were defended by counsel that he claimed to have all the witnesses called that were examined before the magistrates, and if they were not produced to ask why such evidence was not produced. The learned advocate had known prisoners acquitted from that very circumstance, and he felt that the public would regard this remark in the light of a censure on himself as public prosecutor. It was a principle in the law, and it was also due to the prisoner, to have all the witnesses called that were examined before the magistrate, in order to give him the opportunity of cross-examination, if they were not examined by the Crown. Upon these grounds, the Attorney-General felt called upon to offer these remarks, and if he had been irregular in doing so he begged His Honor's pardon for the course he had pursued; but in a community where censure was so freely dealt out, and where his conduct was so likely to be misconceived, even by a mere legal objection taken by the learned Judge, he thought it a duty to himself to make these observations. The learned gentleman concurred with His Honor that in the present case it was not necessary to call so many witnesses. There had been nine summoned, when three would have proved the case, but the magistrates thinking probably that the prisoners would be capitally indicted, in his (the Attorney-General's) view of the case some of them would be wanted. His Honor disclaimed any intention to convey any censure to the Crown Prosecutor, but merely threw out a suggestion. The magistrates were not so experienced here as they were at home, and unless he would deal with the depositions as he thought fit,

great expense would be incurred. If His Honor was Attorney-General he should in the exercise of his discretion, and if he thought proper, throw out all the witnesses except the prosecutor, who ought to have the onus of proving his own case. His Honor was bound to allow all the witnesses their reasonable expenses, and it mattered not to him how many warrants he signed ; but the Government was complaining of the expense, and he had received a letter not long ago upon that very subject.

The Attorney-General, with great suavity, said : I thought your Honor said it is not a judicial matter.

His Honor : It is not a judicial matter, but a ministerial matter. Will you ask the witness any more questions ?

The Attorney-General : No, your Honor, nor will I call any other witnesses after what has passed.

Colonial Secretary's Office,
22nd May, 1843.

Sir,—I am directed to acknowledge the receipt of your letter of the 22nd ultimo, applying for the expenses incurred by you on account of your daughter's attendance as a witness in the case of the *Queen v. Cash*, and to acquaint you that the Lieut.-Governor cannot interfere.

I am, Sir, your obedient servant,
(Signed) J. E. BICHENO.

Mr. Shone, &c., &c.

CASH, KAVANAGH, AND JONES.

(*Murray's Review*, May 19th, 1843.)

If it is possible to apply the term good conduct to lawless free-booters, the whole colony certainly applies it to these men ; the manner in which they have on every occasion conducted their forays has been quite in the courteous style of the outlaws of old. Their careful civility to females, their hands unstained with blood, are two points which certainly entitle them to merciful consideration from the chief authority when they are taken, and we have no doubt they will receive it in contradistinction to the murdering ruffians, who put the poor man Ward to death in the most reckless manner. It is, therefore, with great satisfaction we learn that Cash, Kavanagh, and Jones have adopted a plan which will ensure to them free pardon and a liberal pecuniary reward. It is highly to the credit of Sir John Franklin, that so soon as intelligence was received of the murder of Ward, by the bushrangers Jeffs and Conway, His Excellency offered double the reward for the apprehension of the Robin Hood freebooters, marking thereby his sense of what is due to the safety of the people. But when once the crime of murder, insult to females also, is committed, the utmost vengeance of the Government, held back in cases where conduct such as has been exhibited by Cash and his followers is shown, will assuredly follow.

We say the Lieutenant-Governor is entitled to much praise for making this distinction, tending, as it will, to secure those in the interior from violence ; and if what we have heard is true, Cash and mates have adopted an excellent plan to secure their own safety, and to afford some retribution for their past offences. It is said that as soon as the placards so widely and so properly circulated by the Government throughout the whole country, offering one hundred sovereigns reward and free pardons to the captors of the murderers, whose persons are accurately described, appeared, Cash, Kavanagh, and Jones made known, how it does not appear, their intention of departing immediately in pursuit of the murderers. If they have said it, they will do it, for well acquainted as they are with the bush and its most difficult recesses, they will no doubt succeed. There are, and most properly, no restrictions as to the persons by whom the murderers are captured, and when Cash and his men bring them in, the pardons and reward are secured to them, the faith of the Government is pledged to it, and we are certain it will not be violated. We trust then that Cash, Kavanagh, and Jones will have departed upon their expedition to the North, the success of which the whole Colony will rejoice in.

Cash and his party visited Captain James McKay, of Stockwell, on the Dee, on the evening of the 16th inst. They made prisoners of Mr. McKay's shepherd and Mr. W. M. Gellibrand, who lives at a neighbouring farm, during the morning, and kept them in custody at the Dee Tier until the dusk of the evening, and then conducted them, Mr. Gellibrand on horseback, as apparent leader, with a party of constables, having the shepherd in charge, to Captain McKay's house, which they plundered, having previously taken himself and some fencers, the only men about the place, and who had gone to work there the previous day, of flour, tea, sugar, and wearing apparel, which they took away in four corn sacks and two kangaroo skin knapsacks, and which was enough to load the two valuable riding horses, as well as that of Mr. Gellibrand's. Captain McKay being short of tea, the bushrangers compelled himself, the fencers, and shepherd, as well as Mr. Gellibrand, to go to the establishment of the latter, which they plundered of tea, money,

&c., remaining there regaling themselves until the moon rose, at 11 o'clock, when they made their escape; but just before starting they took the boots off Captain McKay and his man's feet, both new, thus effectually preventing them from watching the course they took. They desired Mr. Gellibrand's shepherd to show them clear of the gates, which he did with apparent good will. They also expressed themselves perfectly well acquainted with all the plans (which they ridiculed much) adopted for their apprehension, laughed immoderately at the fact of five hundred men, constables and soldiers, being in pursuit of three men, and could not accomplish their capture, and stated that they could foil any and every plan that could be thought of, so perfect was their information at all times. They were conversant with the stations of all the constables about the Dee and Big River, one party of whom, headed by that active and intelligent officer Mr. J. Clark, consisting of six men, were actually within two miles of the scene of these depredations, but to whom no messenger could be despatched until too late. The bushrangers took from Captain McKay a field telescope and a brace of pocket pistols; they had beside another telescope, and were armed with double-barrelled guns and two brace of pistols. They also had a new canvas tent with them, and said that as it was now getting cold they meant to lay by for the winter.

How long is this disgraceful state of the colony to last, and how is Captain McKay, and all who have or may be plundered by Crown prisoners, to be reimbursed for their heavy losses?

(June 19th, 1843.)

CASH & Co.

That active officer Chief Constable Morgan, assisted by Mr. Morris and an Australian aborigine, have captured the commissariat store of the bushrangers, so that instead of going quietly into winter quarters, as they purposed, they will be compelled to enter into active operations, a course which will render their capture certain, so vigilant are their present pursuers.

(June 30th, 1843.)

To the Editor of the *Review*.

SIR,—Seeing in last Friday's *Courier* a very partial account of the bushrangers, Cash and his mates, being attacked by a party of military and police, half way between Ross and Oatlands, and of the bushrangers hurriedly retreating firing as they went, showing great trepidation, with other remarks equally unfounded, and as the attack was made at my hut, I consider myself called upon to lay a full and impartial account of the whole affair before the public. On Thursday morning last, about half-past one a.m., the three bushrangers, Cash and Co., came to my hut, and about ten minutes after the soldiers and police arrived, and on their approaching the hut they stumbled upon the bushrangers' knapsacks. One of the party exclaimed, "They are here, for here's their swag; surround the hut, we have got them." Cash, on hearing this remark, coolly arose from his seat, and replied, "Yes, you have my hearties," at the same time throwing open the hut door and discharging his double-barrelled piece to the left and right, and coolly walked out of the hut, followed by Jones and Kavanagh. On their leaving the hut I endeavoured to get out also, when Kavanagh knocked me down at the bedroom door. They then walked on to the road about fifty yards from the hut, and fired a volley at the party, challenging them to fire on them and not on the hut. I crawled out of the door on my hands and knees, at the same time calling loudly to the police not to fire into the hut, as there were none but friends there. Constable Creswell, as soon as he heard me, begged of the party to cease firing. The party then took up the bushrangers' knapsacks, and rushed into the hut. The soldiers immediately ransacked the knapsacks, and took three case bottles of spirits with two gill measures, set them on the table, and commenced drinking. During this time the bushrangers returned and fired a shot, the ball passing over the hut. The police then rushed out at the door, leaving two soldiers, and went round towards the back of the hut. The soldiers remained until the bushrangers ceased firing, calling loudly to the party to come on and take them, as there were three hundred pounds attached to them. The bushrangers fell back again, I suppose to re-load their pieces, but immediately returned again, one of them calling out to the party, "You cowardly dogs, come away from the hut, or I'll bring Dungarvon down on you directly." At this time a fresh body of volunteers arrived, consisting of Mr. Kimberley's men and Mr. Pillinger's, in charge of Constable Carlen. On their approaching the field of battle they were fired upon by both parties, but fortunately without doing any harm, owing to the darkness of the night. The bushrangers still kept their position, calling upon the party to come out and take them. One of the volunteers, Mr. Pillinger's assigned servant, ran to the hut door, and presenting his piece declared he would shoot those who

would not come out and assist in taking the bushrangers ; the soldiers then went out, and the bushrangers shifted their position, as I suppose to decoy the party away from the hut, in the meantime calling upon them to come out and fight, and loudly enquired " why the party did not come away from the hut ? " The party then went round to the back of the hut, and several of them discharged their pieces and returned to the hut. The bushrangers on finding that they could not decoy them from the hut deliberately told them that their ammunition was expended, and about half-a-dozen times wished the party good night and coolly walked off.

I am, Sir,
Your obedient servant,
SAMUEL SMITH.

(July 7th, 1843.)

Two aboriginal natives of New South Wales arrived here on Monday, and yesterday were despatched with Chief Constable Morgan in search of Cash & Co. They are young, active, and intelligent men, and if they perform half they promise the capture of the bushrangers is certain. The long time these men have been enabled to remain at large is, we really believe, in a great measure owing to the punishment of death which awaits them, thus affording an excellent practical proof of the unanswerable reasoning of Mr. Bazil Montague, father of the judge, and other able arguers against capital punishment--the manner in which the bushrangers have conducted themselves to everybody, their hands unstained with blood, and the careful way they avoid giving insult to females, has made so favourable an impression on the public mind, even of those who have been robbed by them, that although their capture would have been long ago certain if their punishment had been anything short of death, none seem disposed to be the means of sending them to the scaffold.

(July 14th, 1843.)

The general harmony of the substance contained in the letters of Constable Creswell and Samuel Smith will not be denied by any but those whose evil object is obvious. The minor discrepancies, whether the party drank the spirits, or whether Constable Creswell broke the bottles, every reader will judge of as he is acquainted with the proceedings of persons under such circumstances. The column of hard labour bestowed by a contemporary in endeavouring to support his charge of conjuring up a pseudo-correspondent, and his little sneer at Tom Smith, the marvel-monger, being thus left to their own value. We have a few words as to what he calls our insinuating attempts to engage the public sympathy in favour of Cash and his mates ; we will relieve him from the necessity of restraining his disposition towards us, by plainly informing him, openly and distinctly, that we are most desirous of engaging their sympathy. We will tell them why.

We have lived in these colonies for the last thirty years, in the course of which we have seen very much of the effects of bushranging, and of the evil effects of rendering bushrangers (whose depredations have been carried on without shedding blood, or offering insult to females) desperately reckless of the consequences attendant upon abandoning a course so desirable to the settlers in the interior in every consideration, seeing that Cash and mates have invariably been spoken of by those they robbed with a generosity of feeling which a public journalist, seated quietly under secure protection, would do well to imitate, seeing that there is not one, even of those who have suffered the heaviest loss by those depredators, who has not expressed the satisfaction which would be felt could their offence be expiated by punishment short of death.

Seeing this, and being fully of opinion with those great men who are making such strenuous exertions to abolish the dreadful taking of human blood in retribution for the taking of property, we avow how sincerely we should rejoice should the Government feel it consistent with their duty to spare the lives of these unhappy offenders ; the dreadful punishment of Norfolk Island, and, upon its abandonment as a penal settlement, the equally terrible punishment of Port Arthur, is amply sufficient for any crime that can be committed unattended with the shedding of blood, or of offering insult to females. We openly avow these sentiments, and our friendly-disposed contemporary, should his sanguine temperament incline to a different opinion, is heartily welcome to make what use of them he may. One word as to the very unfounded charge against us of intending in the slightest degree to insinuate ought against the military ; every feeling by which we can be actuated would prevent such, even by insinuation. The newly-born zeal of the journal which has so suddenly become the vindicator of that body, his controversies with the *Advertiser* thereon in the course of his insinuating attempts to elevate the police at the expense of the military, cannot be forgotten, and will be received by it with that feeling which such a turning always excites.

Far be it from us to permit the insertion of one word in detriment to the soldiery ; on the contrary, we consider the manner in which, from Creswell's letter, it would seem that they employed in pursuit of the bushrangers, was in the highest degree objection-

able, and calculated very considerably to repress the best feelings of a soldier. We are quite ready to admit that it is the bounden duty of the military to protect the police in the execution of their duty, nor can their assistance be ever properly required but in its support. Soldiers may be required to protect the exertions of the police, but they are not the police. Military protection may be, and most possibly is, afforded to the inhabitants of the interior when their protection may be necessary, but a soldier is essentially not a policeman. He may be properly employed in protecting the policeman, but it forms no part of his duties to assume those of the police. If the police force is insufficient, increase it so as to render it efficient. No military man will contest this principle, and we are convinced that Colonel Elliott will never allow the soldiers of the brigade under his command to become police constables. Let us now see how the facts stand in the present case. It appears by the letter of Constable Creswell that he had the charge of three soldiers of the 96th Regt., by one of whom, strangely enough, he was attended into Smith's hut. The military part of Creswell's party, it would appear, came from Oatlands. We know not what military authority is in command there, but we are well convinced that whoever it was, commissioned or non-commissioned officer, that he placed one of the three soldiers in a quasi lance corporal charge of the others, that he never sent three soldiers uncontrolled by any military authority under charge of Constable Creswell, or any other constable. Whatever we assert thus unqualifiedly, such a thing is never heard of as soldiers being despatched on any duty under any other than military control, not even had the Comptroller been there instead of a constable—the duty to be performed would have been prescribed by the civil commander, the details of the performance would be carried into effect by the military commander, while the lance corporal would have been quite as effectual on that occasion as the Duke of Wellington himself. The constable would have told the soldiers in charge of the military, I require such assistance to be rendered me, the *modus operandi* remaining with the soldier in charge.

We apprehend, however, that Creswell has not made himself understood. We have no doubt that the civil power require the protection of the military, and Creswell was despatched in charge of the whole, that charge extended no further than the placing under his orders the military party of three, that he had the control of them individually we consider an assumption of power which no magistrate would ever have attempted, and which, if he had, no military man, no matter of what rank, would have ever thought even of conceding to him.

(Idem.)

Since the above was written intelligence has been received of the surrender of Kavanagh to an old acquaintance, a Crown prisoner at Marlborough, severely wounded in the shoulder, as he said, by the accidental discharge of his piece. The account he gives is not believed to be correct, that he was wounded in some rencounter with his miserable associates. It will be a happy denouement if both of them, like Watts and Sambo in the affair of the Home, have fallen by his hand, and he survives the catastrophe; the sternest justice will then be satisfied, and in the most appropriate manner.

To the Editor of the *Review*.

SIR,—I wonder you have not commented on the doubt, which on the face of the story appears, as to Cash & Co. being the coach robbers. Depend upon it they were not, they never could have gone in so short a time from Epping Forest to Marlborough. The affair with Captain Horton's man is another charge against Cash & Co., the accuracy of which is doubted. The police office ought to furnish a correct account of these matters. Is it quite certain the man who surrendered himself is Kavanagh after all.

JUST.

(Idem, July 21st, 1843.)

When Mr. G. Clark was detained by the bushrangers, after they had robbed Mr. Allardyce's house, they very civilly left one of their party outside the house with him. The sentry was exchanged two or three times, so that he had an opportunity of urging upon them separately the necessity of giving up their lawless course, and giving themselves up to the mercy of the Government. On Tuesday last, when Kavanagh was wounded by the accidental discharge of his gun, he determined to surrender himself to Mr. Clark, and walked twenty miles for that purpose. He arrived at one of Mr. Clark's huts long after dark in the evening, and enquired of two men who were stationed there if that was Mr. Clark's farm. He then enquired how far it was to that gentleman's house, and being told that it was two miles, he then told one of the men to go for Mr. Clark. He was without firearms of any kind, wet to the skin, with his wounded arm out of the sleeve of his coat, the blood having trickled down to his shoes. He said to one of the men, "I surrender myself a prisoner to you for Mr. Clark," and desired him to let no person enter the hut until that gentleman arrived. The man proposed to make

him some tea, but before it could be got ready, Kavanagh said, "I feel faint, and wish you would allow me to lay down on your bed," to which he agreed; he then took off his wet clothes.

When the messenger arrived at Mr. Clark's house he found the master was not at home. He told the men that Kavanagh was at the lower farm, and all, four in number, immediately went to the prisoner, the overseer giving directions to saddle one of the horses, and ordered one of his men to ride directly to Bothwell and inform the police magistrate of the circumstance. In about three or four hours after, Mr. Barrow with a strong party of police arrived and took charge of the prisoner; it is perfectly clear, therefore, that Mr. Clark's men are justly entitled to the reward attending the surrender of Kavanagh.

It was understood that on the following night the other two bushrangers would surrender themselves to Mr. Clark, who was then at home, but it appears that upon this being known a number of constables were in plant to interrupt them—the men of course did not come. It is impossible that this injudicious proceeding could have been with Mr. Barrow's knowledge; independent of what would have been a want of courtesy towards a brother magistrate, it was also inconsiderate towards the unfortunate men themselves, as tending to deprive them of the advantages their voluntary surrender might lead them to hope for.

I am, Sir,
Your obedient servant,
AN OBSERVER.

(April 21st, 1843.)

A CARD.—Messrs. Cash & Co. present their compliments to Major Ainsworth, and congratulate him on his arrival in their neighbourhood; they regret that he has established his head-quarters at a point so distant from Dromedary Park, otherwise they would have done themselves the honour of paying their personal respects to him. They are extremely obliged to him for his kind invitation to return with him to Hobart Town, particularly attended by a field officer's guard of honour as H.M. 51st K.O.L.I., but unfortunately particular engagements prevent them at present availing themselves of it.

(September 1st, 1843.)

MARTIN CASH APPREHENDED.

The career of this unhappy man has closed. On Tuesday night, a tailor residing at the upper end of Murray-street, who was understood to be one of the many men employed, and very properly, by the police to watch the movements of Mrs. Cash, saw Cash pass the door, he followed and made it known to two constables who were on the spot. The alarm was instantly given, and Cash increased his pace so as to reach the corner of Brisbane-street uninterrupted, when, turning the corner, he commenced running. By this time a number of persons had joined in the pursuit, and the alarm increasing, a man named Cunliffe, a carpenter, came from his house as he passed, and lifting his hand Cash discharged his pistol, which wounded Cunliffe in the fingers. Cash then crossed Elizabeth-street and ran along Brisbane-street, making for the paddock, and as he passed the public house called the Commodore, opposite the Trinity Church, one of the Penitentiary constables named Winstanley seized him, a struggle ensued when Cash drew a pistol and shot him through the body; he died yesterday of the wound. A person named Oldfield coming up Cash fired at him and wounded him in the face; at this moment another man tripped him up, by which time a number of persons arriving he was handcuffed, but not until he had made much resistance, in the course of which he was much beaten, he was then taken to the Penitentiary to be identified, but he was so disfigured in the struggle to capture him that Mr. Gunn could not then recognise him, he was, however, conveyed to the gaol, no doubt existing of his identity. It is believed that Jones was with him when first seen in Murray-street, and when Cash ran down the street, Jones took the other direction of Veteran's Row, and was no more seen. The extreme folly, to say no more, of prisoners making to the bush, is now apparent, not a single instance of any who had taken that desperate course having escaped death, either on the scaffold or otherwise.

(September 8th, 1843.)

CASH AND KAVANAGH.

We have already furnished our readers with full particulars of the capture of these unfortunate men; they were both tried separately yesterday. Cash, for the murder of the constable (Winstanley); Kavanagh, for the robbing of the Launceston Coach. Cash

was defended by the late Attorney-General, Macdowell, who although evidently laboring (we sincerely regret to say) under severe indisposition, yet defended the unhappy man with his usual zealous judgment. The jury found both prisoners guilty, but a point of law, as to whether Winstanley knew Cash to be a proscribed absentee when he met his death—whether the melancholy event, deplorable as it was, could be wilful murder, a chief element of which is malice prepense, and on some other subjects, is reserved for the decision of both judges. Judge Montague, who tried them, gave no hope to either; His Honor's conduct throughout both trials was marked with the very utmost impartiality and regard for the strict letter of the law.

(September 15th, 1843.)

TRIAL OF MARTIN CASH.

It being known that Martin Cash would be tried to-day for the wilful murder of Constable Peter Winstanley, the Court was crowded with respectable citizens for some time before His Honor Mr. Justice Montague took his seat on the Bench, and the greatest anxiety prevailed to obtain a view of the prisoner. At ten o'clock His Honor took his seat, and Martin Cash was ordered to be placed at the bar. The prisoner walked into the dock in the most unconcerned manner, which he preserved during the trial, standing erect with his arms folded; he was dressed on this occasion with a blue jacket and trowsers, a blue striped shirt, a black handkerchief round his neck, and a green one round his head to cover the numerous wounds he had received at the time of his capture. While the information was being read, he gazed scowlingly at the dense crowd of spectators, which filled the area of the Court House.

The prisoner was then charged in a very elaborate manner with shooting Peter Winstanley on the 29th August, with a certain pistol of the value of five shillings, being then and there loaded with gunpowder, which gunpowder exploded and discharged a leaden bullet, which did strike, prostrate, and wound the left breast of the said Peter Winstanley, of which wound he died on the 31st August. To this information the prisoner pleaded in a firm voice, "Not Guilty."

The Attorney-General, assisted by the Solicitor-General, conducted the prosecution, and Mr. Macdowell defended the prisoner. The following jurors were then sworn:—Messrs. Corbett, Blackwell, White, Bramwell, Hollins, Reason, Large, Curry, Somers, Sadler, Meredith, and Wellard. Upon the application of Mr. Macdowell, all the witnesses, except the medical gentlemen, were ordered out of Court. The Attorney-General having stated that the prisoner, as the jury would have learnt, by the information which had been read by the officer of the Court, was charged with the wilful murder of Peter Winstanley, observed that it would be folly in him to suppose that when the name of Martin Cash was mentioned, the jury heard it for the first time. It would be gratifying to him indeed to know that this was the first time that they had heard of that unfortunate man, all that he could do on the onset was to implore them, as far as in them lay, to divest their minds of any reports they may have seen in the newspapers, or any information they have had elsewhere. It ill became him to aduce any facts relative to the prisoner's transactions unconnected with the present case, but, anticipating the defence which his learned friend intended to adopt, it would be necessary for him to state certain facts, which he otherwise should not have referred to, but he felt quite confident that his learned friend would suffer no point of law to escape, nor omit any ingenuity and effort in behalf of the prisoner. In looking to the manner in which he (the Attorney-General) should conduct the case, and in anticipation of a portion of the defence contemplated by his learned friend, he should have to show that the unfortunate man now placed at the bar was a proscribed man, having absconded from the penal settlement at Port Arthur, and that he was to be captured at all risks for a specified reward. He did not think this course could be objected to, but if so, he conceived that his Honor would overrule the objection. The person that was wounded on the 29th August was sworn in as a constable and always as such considered to be on duty; it was on this account that he (the Attorney-General) ventured to offer such evidence as would enable them to come to a conclusion as to the guilt of the prisoner; it was for them to judge from the evidence. The learned counsel then entered into a brief and succinct account of the capture of Cash, and in reference to the fact of Winstanley hearing the cry "Stop thief, Cash the bushranger," as uttered by the witness Cunliffe, observed that if Winstanley had not been a constable it was his duty to try and capture the prisoner; he was a man of great prowess, strength, and resolute determination, and one of the constables beat him on the head with a pistol, while another kicked him on the head. The learned gentleman regretted that it was necessary to beat him thus severely, but the case demanded extraordinary exertion on the part of his captors.

The learned gentleman then proceeded to call his witnesses, observing the following order of examination:—Mr. Price, Constables Thomas and Agar, Messrs. McDonald and Cunliffe, Mrs. Smith, Doctors Crowther and Officer. Constable Thomas, sworn: I heard

Martin Cash called out before I got to Argyle-street, as well as after the pistol was fired off. Cross-examined by Mr. Macdowell: It was about twenty-six minutes before nine that I first saw the prisoner in Murray-street. I did not speak to him; it was not a very dark night, nor a light night, but when the prisoner first spoke to me it was, I should think, about seven or eight hundred yards from Brisbane-street. I never heard two pistols fired in Murray-street, one by me and one by the prisoner. I was following him, anxious to apprehend him, and he was running, anxious to get away. I had been instructed by my superior officer to take him on the charge of absconding.

At the close of Mrs. Smith's evidence, after she had mentioned the period of Winstanley's disease, His Honor complained that no enquiry had been made by the magistrates or the Coroner as to whether he (Winstanley) knew before his death that the prisoner had committed some felony. The Attorney-General stated that an enquiry was proposed but forbidden by the medical attendant. His Honor observed that there had been great laxity somewhere, and he should enquire into the matter. He never heard of a case where an enquiry was not made of the wounded man as to the circumstances and cause of his death. His Honor should say nothing upon the subject at present. Constable Thomas was recalled and questioned as to whether he had seen the proclamation or placard offering a reward for the apprehension of Cash and describing his person, when he stated that he had, and that he raised the hue and cry from no motives of reward, he would have raised it had he never seen the placard. Cash, when the witness made this avowal, laughed contemptuously. Upon this he was cross-examined by Mr. Macdowell, when he said again that Agar told him in Murray-street that the man was Cash. His reply to Agar was "Yes." He did not remember saying to Agar, "Do you think so?" He could not positively swear that he did not use these words, but he did not believe he did. Dr. Crowther, after describing the cause of Winstanley's death, stated that after he was first called to him he returned, when he found him better and perfectly sensible, and able to relate how the accident occurred. When witness first saw the deceased he, witness, thought the wound was mortal, and on his return had the same opinion. He had a conversation with the deceased, who said something relative to the nature of the wound and its probable result; this was between eleven at night and two in the morning, when Winstanley said that he was in a perfectly sane state of mind. He said repeatedly that he was dying. It was hard, he said, to be killed by such a rascal, or some such words as those; he said that when he heard the landlady call out, "Peter, here's a thief," he went into the street and saw a man running towards him, he raised his arm, attempting to stop him, and instantly received a shot. Dr. Crowther stated that he extracted the ball after death, it being unnecessary to do so before, as it might accelerate his death.

The case for the prosecution being closed, Mr. Macdowell rose and addressed the Court,

He submitted that upon that information and upon the evidence there was no case to go to the jury, the charge against the prisoner being wilful murder. The learned counsel admitted that the evidence went to show that deceased came by his death by an act of the prisoner, but there was nothing to show that prisoner was actuated by malice aforethought; on the contrary it was clear that the prisoner did not know the deceased, who, as the learned counsel should contend, without any legal authority stopped the prisoner as he was proceeding along the street. The original attempt which the constables Thomas and Agar made to apprehend the prisoner was a question altogether irrespective of the interference of Winstanley. If these men had reason to suspect that the prisoner at the bar was an absentee there was nothing to show that the unfortunate deceased had any such knowledge. It had been said that a hue and cry was raised, but the old formalities of the law had been long since abrogated, the statutes which enacted and supported such a proceeding had been repealed, except with the simple offence of angling in a brook in the daytime on a Sunday. It was in evidence that the constables Thomas and Agar, with a number of other persons, pursued the prisoner with loud cries, but that, legally speaking, was not a hue and cry, there was in fact now no such thing, and even when such was in existence the constable raising the cry were obliged to be armed with a special warrant. Under these circumstances, if any person who joined in the hue and cry (for people were compelled to do so) met with his death, that was murder. In the present unfortunate case there was no warrant to apprehend, neither was there a knowledge of any offence committed. The learned counsel quoted, from Blackstone's Commentaries, an explanation of the old hue and cry as enacted in the 4th and 5th William and Mary, and the repeal of the laws in reference to it by the 7th and 8th George the Fourth. His Honor observed that the hue and cry to which the learned counsel adverted, and which had been repealed, had reference only to certain particular offences. It was still applicable in cases like the present, and any person was justified in attempting to apprehend a suspected felon, who was running away from his pursuers. Mr. Macdowell would then admit that, but supposing that the hue and cry was proper, was there anything to show that it had ever reached the deceased? All that they heard on this point was that Mrs. Smith had told Winstanley that there was a thief running away, and that thereupon he immediately ran out to apprehend him. Then

there was the dying statement of the deceased to Dr. Crowther, in which he plainly infers that he did not know who the prisoner at the bar was. He instantly observed "who would have supposed that the fellow was armed?" The learned counsel submitted that the offence that the prisoner committed could not be called murder. No one could regret more deeply than himself the lamentable consequences that had ensued, but he must say that Winstanley having interfered in the matter for which he was not authorized, the consequences, however deplorable, rested on his own head, and upon his head alone.

His Honor could not concur in this view of the case which had been taken by the learned counsel, neither could he allow it to go forth to the public that a constable in the execution of his functions was not entitled to the protection of the law, because, as had been averred, the statutes respecting the hue and cry had been repealed. They were, in his opinion, still in force for all practical purposes similar to the present. The Attorney-General briefly replied. He said that the statutes in force in the hue and cry were only enacted in aid of the common law; by this law the deceased, even as a good subject and citizen, was called upon to act, and he was bound to interfere as a constable when he heard cries in the street, if it were only to protect the pursued party from the violence of the pursuers. His Honor, having conferred some time with Mr. Hone, the Master of the Court, who sat on the Bench the whole time during the trial, observed that he was very happy to have his views of the case concurred in by the learned Master of the Supreme Court. His Honor then explained the law in reference to the justifiable interference of officers attempting to arrest suspected offenders. It was for the jury to say whether the unfortunate man Winstanley was justified in his conduct; if they were satisfied of that, he would call upon them for a verdict; if not, he should reserve the point; at all events, there was a clear case to go to the jury. Mr. Macdowell, who was evidently labouring under severe indisposition, proceeded to address the jury, but His Honor perceiving his exhaustion suggested an adjournment; to this the learned counsel acceded, and the Court was accordingly adjourned until the next morning at 10 o'clock.

The jury were then conducted under the charge of Under-Sheriff Crouch to the Macquarie Hotel, where they were allowed fire and refreshment, and where they remained excluded from communication from without until the next morning.

There was a report in the town that Mrs. Cash was present during the trial. We did not recognize her among the few females who had the courage to brave the crowd and gain admittance into the Court-house.

SECOND DAY.

This morning the Court with the space in front was crowded, if possible, more densely than it was yesterday. A few minutes before ten o'clock, the jury was marshalled from the Macquarie by three javelin men, and escorted by some policemen, who had some difficulty in clearing an entrance into the Court-house.

Precisely at ten o'clock, His Honor Mr. Justice Montague took his seat on the Bench, and the Court was opened.

The prisoner being placed at the bar, Mr. Justice Montague said, that on looking over the notes of the evidence, he had resolved upon the manner in which he should put the case to the jury. The learned counsel for the defence had taken objection to the authority of Winstanley, and to the hue and cry which was not constituted in this colony, as it formerly was in England. He had also stated that there was no evidence to show that Winstanley knew the prisoner was Martin Cash.

Mr. Macdowell replied that it was his intention to put it to the jury that Cash ought to have had some notice that Winstanley was a person in authority. His Honor said it would have been impossible, the matter occurring in the night time, and in a manner so instantaneous; the deceased could not have given any notice of his authority. His Honor then intimated that he should put the case to the jury on the following questions, which he should wish to have answered *seriatim* after they had delivered their verdict. His Honor also requested that the jurors would write down the questions as he propounded them: First, if guilty, whether they thought that Winstanley at the time he ran into the street had reasonable cause to suspect that the prisoner had committed felony or other offences? Secondly, whether they thought that Winstanley had reasonable cause to believe, or suspect that the person he attempted to secure was an absconded offender or a convicted offender illegally at large? Thirdly, did they think that Constables Thomas and Agar had reasonable ground to suspect, or believe, that the prisoner at the bar was an absconded offender, illegally at large? Fourthly, did they think the prisoner had committed a felony by discharging a pistol at the constable in Murray-street? Upon these questions his Honor wished a decided answer. And there was another question he would also put to them, namely, whether at the time Martin Cash fired at Winstanley they thought he intended to murder him, or do him some grievous bodily harm? Having put these questions, His Honor remarked that he did not think there was anything

in the conduct of Winstanley to reduce the case of the prisoner to manslaughter, and nothing to justify the use of so deadly a weapon as a pistol by the prisoner. His Honor declared that every man who joined in a hue and cry after a person suspected in a felony or other offence was justified in pursuing him; whether an offence was a felony or misdemeanor it was the duty of every one to assist in the pursuit, and it mattered not whether an offence had been actually committed or not, for it would be impossible for persons at a distance to ascertain in what a hue and cry originated. On the other hand, those who raised an unjust hue and cry were liable to be indicted for creating a breach of the peace, or a public disturbance.

The Attorney-General, while he perfectly concurred with the learned judge, would request that his Honor would add to the other questions the following:—Whether it was necessary for the prisoner to fire in defence of his life? Whether before he did so he retreated as far as he could? and in fact whether anything was done by the deceased by using any unnecessary violence, or otherwise, to justify the prisoner in using fire arms? The learned gentleman contended that Winstanley had used no violence, merely holding out his arms, and that in a sudden affray of chance medley, if the party assailed kills another without using some degree of retreating, or, as it was called, without going to the wall, it would be murder, and he never knew a case of that kind reduced to manslaughter. The Attorney-General here referred to certain authorities in East's Pleas of the Crown, *sub voce homicido de defenso*, chance medley, where the law was laid down by one of the first lawyers, and had never been controverted. The learned counsel also quoted Hawkins's Pleas of the Crown and other authorities in support of his opinion.

Mr. Macdowell now proceeded to address the jury on behalf of the prisoner, and the points of law being decided in reference to the evidence, he contended that although the crime of murder consisted in taking away the life of one of the Queen's subjects, yet it was necessary that it should be taken away deliberately, or, in the language of the law, with malice aforethought. The jury, who had attended to the important trial throughout with the most deep and earnest anxiety, would fail he humbly apprehended to discover in the conduct of the prisoner any of that malice aforethought which was required by law to constitute the crime of murder. There was something in the term of murder most revolting and shocking to reflect upon. It was a most foul and unnatural proceeding. But how stood the present case? There was a man, to use the strong language of the Attorney-General, a proscribed man, whose only offence on the present occasion was an effort to effect his emancipation, so to speak, from that society by which he was proscribed, and to free himself from a crowd of persons who were in hot pursuit of him. Then there was nothing to show that the prisoner and the unfortunate man had ever seen each other before, and it did seem to him as different a case from malice aforethought as any two cases could possibly be. In the one case they had the assassin selecting his prey and awaiting the moment to compass his vile purposes; in the other they had a man who had committed no offence in the town that any one knew of, hunted and pursued through the streets for his very life, till he suddenly and accidentally came in contact with the deceased. There was nothing to show that as respecting the firing of the pistols in Murray-street, Thomas did not fire his pistol first. Thomas indeed stated that the prisoner fired first, but Agar, who was calmer and more collected than Thomas could possibly have been, declared that he could not say which fired first, the report was like one and the same report. The learned counsel again submitted that between this case and that of deliberate murder, there was a vast distinction, and after commenting upon the alleged pointing of the pistol by the prisoner, when being pursued, and the improbability, or, indeed, rather the impossibility, of Mr. Ebenezer Smith seeing the size of the pistol by its flash, whilst standing in advance of the person firing, contended that the attempt to apprehend the prisoner was not justifiable, unless he was made acquainted with Winstanley's authority. He referred also again to the hue and cry not being in force in the colony. The learned gentleman put it to the jury, of course under his Honor's direction, that the prisoner could not be held responsible for Winstanley's death unless he had some notion of the authority by which he acted. In support of this opinion, Mr. Macdowell quoted Forrester's Crown Law, Article "Homicide."

His Honor observed that the case to which the learned gentleman referred was very different. That case had reference to frays or riots, and by common law if a constable during such fray or riot held up his staff or otherwise declared his authority, that was an indication for the rioters to keep the peace. Here there was no riot or tumult.

Mr. Macdowell said the deceased interfered to stop the man in the street, for which it was very certain, he ought to have some authority.

His Honor: The law was, that if a man apprehended another, without just cause, he was liable for indictment, so also were the originators of an unjust hue and cry.

After some further remarks relative to the evidence respecting the pistol, Mr. Macdowell said that he had undertaken the defence of the prisoner with great unwillingness on account of his indisposition, but learning from the prisoner, that if he, Mr. Macdowell would not defend him, he would not have any one else, he deemed it his duty to do so, and he had so done to the best of his ability, and as well as physical capacity would.

allow. He trusted that the jury would give such a verdict as would be satisfactory alike to the Crown, to the public, and to the prisoner's counsel.

His Honor addressed the jury at some length, and with much ability, clearly pointing out the law of the case as was laid down on the several points during the progress of the trial. All that the jury had to do was to find whether the deceased came to his death by the gunshot wound, and whether that wound was inflicted by the prisoner. If they found the prisoner guilty there was malignity about the case; every argument had been used and every question raised by the prisoner's counsel upon the points of law with great ingenuity and ability, but in His Honor's opinion the case was perfectly simple. His Honor then again referred to the questions which he intended to put, *seriatim*, to the jury, and read over the whole of the evidence, commenting upon it as he proceeded. He deprecated the negligence, as it would seem, of the police authorities in not taking Winstanley's statement of the transaction, and gave great praise to the conduct of Mr. Culliffe, to whose coolness, courage, and promptitude, the public were indebted for the capture of the prisoner. To those persons who refused to aid when called upon by Culliffe, His Honor imputed great blame, as not only a cowardly act, but a gross dereliction of duty as good citizens and subjects, and he regretted that their names were not known to the police that they might be prosecuted. He then directed them to discard all previous impressions as far as they could, and to consider their verdict upon the evidence by which they were to decide, and concluded by saying that in his opinion the offence was murder, deliberate murder, a very bad case indeed.

The jury retired, and after an absence of twenty minutes returned a verdict of "Guilty," generally, and an answer in the affirmative to the questions of the learned judge, with the exception of the second, which they answered in the negative.

His Honor, in reference to the fourth question, desired them to say whether they were of opinion the prisoner shot at Thomas or Agar.

The foreman replied they were of opinion he shot at Thomas.

The learned judge fully concurred in the finding of the jury. He addressed the prisoner in a very brief but feeling manner, and while he held out to him no hope of mercy, he nevertheless should remand him in order again to look over the evidence, and to reconsider the points of law which had been raised by his counsel, who had kindly undertaken his defence while suffering under severe indisposition. He conjured him to entertain no hope that his life would be spared, but to believe that the extreme sentence of the law would be speedily carried into effect, for his Honor had no doubt that everything had been done that could be done in this unfortunate case.

The prisoner, who remained calm, firm, and collected throughout, said that since his arrival in this colony he had been (through untoward circumstances) an innocent victim of the law, although not attributing any blame to the officers of the Crown, who of course were mainly guided by evidence, he received a sentence of transportation at Launceston for a crime imputed to him, and of which he was perfectly innocent. Under these circumstances he could not divest himself of the feeling, that in trying to regain his liberty he would be justified in resorting to any expedient short of murder, and when smarting under the tyrannical treatment he received at Port Arthur, which he begged to assure his Honor almost exceeded the limits of human forbearance. He was driven to adopt his present course of conduct, being perfectly reckless of the consequences, and while reluctantly pursuing his lawless career in the bush in company with his unfortunate mates, he earnestly trusted that his Honor and the public would believe him when he asserted that they carefully avoided the shedding of blood, or the offering of individual insults, any further than was absolutely necessary in the preservation of their own safety. He would humbly observe that in acting upon this principle they were not influenced by any hope of mercy, which in consequence they might be led to expect when placed in their present position. On the contrary neither himself nor his mates had ever for a moment expected such a contingency, resolving if possible to be shot rather than be taken alive. He never in company with his mates courted a collision with the authorities, either civil or military, save only in instances when they had no other alternative. Then, and not till then, they fought for their liberty. He trusted that His Honor, and all others in Court, would not for a moment suppose that he was now pleading for mercy, as his life, embittered as it was by unmerited persecution, was to him perfectly valueless, and not worth retaining under the circumstances.

His Honor: I do not doubt but you have throughout endeavoured to avoid shedding blood or using violence, from all we have heard and read of you that is true, but still I cannot hold out any hope to you.

Prisoner: I beg your Honor's pardon, I did not beg for my life, as I do not value it a straw.

("Murray's Review," September 15th, 1843.)

TRIAL OF LAWRENCE KAVANAGH.

Contrary to general expectation, it being now after two o'clock, Lawrence Kavanagh

was ordered to be placed at the bar to take his trial for the robbery of the Launceston coach, at Epping Forest. After some little delay he was accordingly ushered into the dock, and a fresh jury was called, the other jury being discharged altogether.

Lawrence Kavanagh was capitally charged under a colonial Act of Council, with robbing James Hewitt, on 3rd July last, being at the time armed with a certain offensive weapon, *to wit* a gun, with putting the said James Hewitt in bodily fear, and stealing from him a watch of the value of fifty shillings and seven one pound promissory notes. To this information the prisoner pleaded "Not Guilty," in a very cool manner, and addressed the Court requesting to have counsel assigned for his defence, as he had no ways or means of employing one.

His Honor said he had no power to appoint a counsel for the prisoner, he had read the depositions and he did not see anything in them to justify him in doing so. It must not go abroad that in all capital cases a counsel was to be appointed. At Port Arthur His Honor knew that in all cases of murder, it was supposed that the Court would assign counsel to the prisoner, this was a common notion there. His Honor did not see he could appoint a counsel in the prisoner's case, unless upon petition.

The Attorney-General observed that at home the judge asked the counsel to assist a prisoner in his defence, if the judge thought it was a case which required the aid of counsel. The learned gentleman stated, that on looking over the depositions, in the recent case of the two boys who were charged with the murder of their overseer at Port Arthur, he had felt it his duty, as Crown Prosecutor, to suggest this appointment of counsel, as he saw that points arose, but there was nothing in the present case to warrant such an appointment.

His Honor told the prisoner that he did not think he would be justified in putting the public to the expense of assigning counsel to him, it would do him no good nor the public either. In cases where points of law were likely to arise, in which there was any difficulty, His Honor would always appoint counsel, but here there was nothing complex or ambiguous in the evidence, and it would be of no service to the prisoner.

The prisoner : As you think proper, your Honor.

The Attorney-General, after a short address, in which he explained the law of the case under the colonial Act, proceeded to call his witnesses.

James Hewitt, coachman to Mrs. Cox, had seen prisoner at the bar before on the 3rd July in Epping Forest. Witness was driving the coach. Mr. Darke was with him on the box. It was about a quarter past ten in the morning. There were three men, who came up and desired them to stop. They were armed with guns. The prisoner at the bar was one of the men. He had a gun of some description. They came up in front of the horses, and desired witness to stand. They said they did not want to molest any one, only to rob them. They told them not to be afraid. The three men had their guns pointed from the shoulder. Witness could not tell which of the three men told him to stop. Witness stopped the horses, because he expected they would have shot at the horses, or something of that sort. The arms were presented at witness. The passengers were : Miss Hilton, Mr. Darke, and Mr. Jacobs, who, with Mrs. Cox, were inside. Witness was ordered off the box ; he came down because they presented their arms at him ; they robbed him of his watch. They asked him for what he had got, and witness told them they had better take it themselves, and then they would be sure of it. Witness let them take his watch to save further bother. Witness expected that if he had not let them have it they would take it by force, he was afraid to refuse. They took seven pounds and a watch from him, the watch from his fob, and the money from his pocket. The witness had no doubt the prisoner at the bar was one of those persons.

By His Honor : The prisoner stood guard at the side of the road when witness first saw him. This was after witness got off the box. They made no threat but told witness to stand, which he instantly did.

Mr. J. C. Darke was passenger on the coach in Epping Forest on the 3rd July. Hewitt was driving it. A man made his appearance in front of the coach armed with a double-barrelled gun. The prisoner was that man. When he got to the horses' heads he desired the coachman to stop, when two other men came out of the bush one after the other. The prisoner told them to stay where they were until he ascertained who were in the coach. Hewitt got down from the box. Witness saw one of the men take something from Hewitt, which witness thought was money. The double-barrelled gun was presented at witness and Hewitt on the box. The prisoner at the bar said, "I dare you to stir, or I'll shoot you." His gun was then presented to witness and Hewitt. The gun was under his arm, not at his shoulder. Witness had never seen prisoner before, nor either of the other two prisoners. Witness had not the slightest doubt prisoner at the bar was one of the men. He knew him the moment he saw him in the gaol. He, witness, never looked through a hole in the cell to identify Kavanagh.

By the prisoner : You were carrying your gun with the butt end to your arm-pit. I never came to look through the cell ; the gun was a double-barrelled gun ; I am quite sure of that ; when I heard one of the bushrangers was wounded, I thought there were

strong doubts whether they were the party that robbed the coach, and I went to the gaol to ask Mr. Capon about it, as I was about to leave the colony.

By His Honor : Mr. Price addressed the prisoner Kavanagh, but this was after I had recognized him. I recognized him going up the stairs before I was brought into the room.

By the Attorney-General : The moment I saw him, I knew him as one of the men who robbed the coach, but did not know his name until Mr. Price addressed him.

Prisoner : Pray, Sir, did you come free to the colony?

By His Honor : I knew him by his face, his figure, and his voice.

By a Juror : He had not the same dress on when he robbed the coach as that he has on now.

Mrs. Mary Ann Cox corroborated the evidence as to the stopping of the coach in Epping Forest, by the three men. The prisoner at the bar was one of the persons who stopped it. She was quite positive he was one of the men.

This being the case for the prosecution, His Honor intimated to the prisoner that this was the time for him to make his defence.

The prisoner bowed, and spoke as follows : I have witnessed a good many scenes of misery in my time, but what I saw at Port Arthur beat all. There is one circumstance I feel bound to mention, I was driven to a place of worship by the lash of the laws, my own prayer book being taken from me by the superintendent, and I was forbidden to read it under pain of severe punishment. I do not blame the superintendent, it was not his fault, but I put it to any conscientious Protestant in this Court whether he would like to be driven to a Catholic place of worship, or punished for not going there. All men are not of one mind at Port Arthur. There are some men who forget they were men, and I flew from Port Arthur on this account, at the hazard of that life I am now about to forfeit. While I was in the bush I would rather have been shot than fall into the hands of the Government, but I fell into a mistake, for since I have been in custody, I have been treated well (with emphasis) and I am very much obliged to the gentlemen for their kindness and attention. Gentlemen, after I went into the bush, and when under arms I committed no act of violence or cruelty, nor did anything but what became a man. Stains of blood we always avoided, both me and my companions, and if I have been unfortunate and done wrong, thanks be to God I have no stains of blood upon my hands. If I have abstained from violence, it was not because I expected any mercy while standing at a bar like this. I did not surrender through any expectation of mercy, but through a feeling I had in my own breast having met with an accident. I would have pleaded guilty to this charge, only I was accused of violence, and violence I never used to any one ; but if I came against armed men I would stand against them the best way I could ; but as to using violence against an unarmed party, I would not be guilty of so cowardly an act. I have nothing more to say, your Honor. I have no witnesses.

His Honor addressed the jury, and explained in his usual lucid manner, the nature of the charge against the poor man at the bar, and the fatal punishment attached to its commission. Upon the evidence little was said, it was explicit, plain, and incontrovertible. The defence set up by the prisoner, His Honor observed, was being forcibly driven to a place of worship, contrary to the tenets of his own religion, and this was the only defence. But it touched not the duty of the Jury, neither had they any evidence of such a fact, yet if that was the case it was most detestable and cruel tyranny, and an instance of bigotry, against which His Honor for one would resolutely set his face. Why the prisoner should have stated this circumstance His Honor did not know, unless it was to excite the compassion of the Jury. But their duty was plain and straightforward, and must be performed without favour or affection. The jury retired for about twenty minutes, and then returned a verdict of "Guilty."

The prisoner was then removed, His Honor deferring sentence, but affording no hope that the capital part would be abandoned—the many outrages committed by the prisoner and his companions, and the anxiety and terror which they had caused in so many families, render an example necessary. His Honor was glad to see the prisoner in a state of mind so favorable to that religious instruction and consolation which would be abundantly afforded him—he earnestly hoped that such a state of mind was sincere, yet no mercy could be extended to him on that account.

The trial lasted but a very short time, and the prisoner throughout preserved a demeanour, cool, firm, and collected ; there was nothing of the Bravo about him. He appeared aware of his situation, and expected no mercy—he asked for none. He delivered his defence in a style of natural eloquence, which was extremely affecting. He related the cruel treatment he received at Port Arthur, with an expression of indignant feeling which to our minds carried a conviction of its truth, while he avowed his abhorrence of bloodshed with a fervour which evinced his sincerity. He was dressed in a long dark greatcoat, and had his left arm in a sling. He appeared otherwise in good health. He is rather good-looking with an expression of vivacity and intelligence on a fair countenance. We need scarcely add that the court was densely crowded throughout the whole day.—See *Colonial Times*, September 12th, 1843.

(Idem, September 9th, 1843.)

In our last number we appealed earnestly to Sir Eardley Wilmot to spare the lives of these miserable men. We urged that the punishment of Norfolk Island for life, particularly under the new system of strict discipline which it is known that Major Childs under the immediate orders of Sir Eardley Wilmot, under whose authority Norfolk Island is placed) is about to establish, will be abundantly equal if vengeance is the consideration to any crime which man can commit to man, and, if example is looked for, certainly the only legitimate object of punishment. Then the visible, tangible object of unremitting suffering is surely more likely to operate than the momentary pang of extinction of life on the scaffold, however revolting to the best feelings of human nature such public putting to death may be. We humbly urged this upon His Excellency, respectfully reminding him—and the long experience his countrymen of England has had of him proves that it is unnecessary—that the quality of mercy is thrice blessed. His Excellency has been pleased to spare the lives of these miserable offenders, who are both under the sentence of death, Cash to die on Monday and to be anatomized, Kavanagh to die at an early day.

All are not men that bear the human form. Mr. Burnett felt that the most effective method of notifying to the wretched expectants of death His Excellency's gracious extension of royal mercy to them would be to make the communication through the minister of their religion, the Vicar-General Therry, whose unremitting attention to them has been beyond all praise. The manner in which the rev. gentleman fulfilled his task cannot be described. It is only necessary to say that Mr. Capon, who was present at it, and whose attention to his unhappy prisoners they gratefully acknowledge, was so affected by the manner in which they expressed their gratitude, first to the great Author of all, and then to the instrument of the royal mercy, S. E. Wilmot, that he was unable to repress the giving way to that relief which the kindness of nature affords, when its best impulses are extremely acted upon.

[Review, November 4th, 1843.]

(From the *Launceston Advertiser*.)

A great deal of speculation has taken place respecting the motive and policy of the local government for sparing the lives of the two culprits, Cash and Kavanagh, the former convicted of murder, the latter highway robbery with arms, which, under a colonial Act of Council, is punishable with death. Generally speaking, the extension of mercy on the part of His Excellency, is looked upon as a dangerous leniency. But we think otherwise, our approval is grounded upon two points, first our objection to capital punishment in any shape; secondly, that the infliction of it in these particular cases would have been specially injurious. With regard to the first objection, we hold that in a moral point of view, a judicial execution as is unwarranted by Divine law as any other species of manslaughter. That Being who alone can give life, has alone the right to take it away. Further, we consider that as all punishments are to be considered remediable and not vindictive, the punishment of death is improper, and cannot by possibility be looked upon in any other light than an act of vengeance. "Vengeance is mine saith the Lord." We hold, moreover, that as an example to deter others from the commission of crime, death as a punishment is totally ineffectual. Cash himself in the bush, at the bar, and after sentence, declared that he valued his life not a straw. Could the dread of death then deter him from the commission of crime, did it do so, although the acts in which he was engaged rendered death apparently the inevitable consequence of his capture? Certainly not. But since his reprieve that man has become contrite. Here we have a remedy. His execution in a state of hardened indifference would have given us only an awful, frightful vengeance. We have no sympathy for the temporal fate of the murderer, but we shudder to contemplate the perdition of one mortal soul, hazarded not to say more by one act of social vengeance.

(April 19th, 1843.)

The Criminal Court has been occupied the whole week in trying the bushrangers. They have all been found guilty, and many of them, we fear, will necessarily suffer the dreadful sentence of the law. One case was tried of Jones and Platt having robbed the house of a person named Campbell, and conducted themselves, if the evidence is to be believed, with great atrocity towards a poor old woman named Devereaux. We repeat, if the evidence is to be believed, mercy to either of them is not to be expected. Sentence of death was this morning passed upon them, which the Judge told them would certainly be carried into execution. The Executive Council is now sitting to decide their fate.

Jones and Platt were charged with maliciously shooting at Benjamin Cutler, a constable, with intent to kill and murder him on the 9th March last. This charge arose out

of the capture of the prisoners by District Constable Morton and his party, at the hut of the man Alder, who was yesterday convicted of harbouring the bushrangers. The particulars have been so long before the public that it is needless to repeat them. They were both found guilty. His Honor Mr. Justice Montague, in charging the Jury, commended the gallant conduct of Mr. Morton and his constables.

Jones, on being asked what he had to say why he should not be adjudged to die according to law, said he wished to say a few words. He had been arraigned at that bar on three different charges, and the first of which he should speak, was the robbery at William Campbell's, at the Black Brush. He wished to speak of that case to show that he was not the inhuman brute he was represented to have been. If His Honor would look at the evidence of Campbell, he would find it exaggerated in a great degree. At the Police Office, Campbell had stated that the stockings and clothing of the woman were burnt, and that she was slightly burnt, while the boy stated that he saw her legs the next day when they were not burnt, nor did she complain of being lame. He, Jones, merely stated this that they might not suppose him to be the cruel inhuman brute which such savage behaviour would have shown. The next case to which he would refer was that of Captain Horton, and here he would freely confess that the act was the act of his hand, but he earnestly denied that it was a wilful act. His Honor would be aware that the nights of July were dark, and it was not at all surprising that the gun should go off on such close contact. It was a mere accident as he solemnly called God to witness and every one acquainted with percussion guns would be aware of the quick and sudden manner in which they exploded. The main part of the statement on that case was the evidence of the witness Wade, who stated that he, Jones, came back to the hut and made use of a very bad expression, viz., "I have shot one ————," and speaking to the men who were tied, "If you go to the ———— I'll drive a ———— Government hole through you." Captain Horton had stated that he, Jones, remained with him in the parlour, until the tied men were brought there. He did not mean to say that Wade wilfully stated this as an untruth, but he, Jones, begged to point it out to His Honor. And Patrick Gleeson said in evidence that he, Jones, on coming to the house observed that he had shot a man, and on being asked if he was dead, replied that he was not. There was a material difference in the two statements. But which was the true one? Wade was a constable, and it was well known to His Honor what vindictive feelings that class entertained towards men in his position. The case of shooting Cutler he should leave in the hands of His Honor, who he hoped would take into consideration, the deplorable situation to which he, Jones, was reduced. He knew nothing of what was passing around him, but what he heard. He had been for a long time placed in the unfortunate situation of an outlaw, but he had committed no murder, neither had he violated the chastity of a female. As to the shedding of blood, that he always carefully avoided, and should His Honor be pleased to recommend him to the merciful consideration of the Executive, he should ever pray for His Honor as long as there was breath in his body. To Mr. Macdowell he begged to return his grateful thanks for the able manner in which he had gratuitously defended him. Having made these remarks he had nothing more to say. Platt said that he had nothing to say.

His Honor then addressed the prisoners at considerable length, and with much fervour and feeling. Jones, His Honor said, had misapprehended one observation which he had made. His Honor did not say he should not inform the Executive Council of the treatment to which the poor woman had been subjected at Campbell's house.

Jones: I understood your Honor to have said so.

His Honor continued. As that part of the offence was not charged in the information, His Honor said he did not think the Council would be able to take it into consideration. With regard to the ultimate disposal of the prisoner, there were two offences of which the prisoner had been guilty, robbery and violence, and the violence ought to be in the information. He must acquaint the prisoner that it was the practice of the Executive Council to look at the circumstances of the case, and it was for them, and not for His Honor, to interfere in the carrying into effect the sentence against him; it was in their power to order the full execution of the sentence on account of the violence used by the prisoner, but His Honor would point out the deficiency in the information, leaving the matter entirely to the disposal of the Council. His Honor did not think that, consistently with his duty, he would recommend the Executive to spare the prisoner's life; his agonizing and most distressing position every one must feel, and when His Honor saw him handed to the bar, by the kindness of his unfortunate companion, he could not but feel deeply for the wretched condition in which both of them were placed. Upon two occasions the prisoners had resorted to firearms, and on one of them Jones had treated a defenceless woman in a shocking manner by applying a hot spade to her legs which, with her hands, he had tied to a bench, and had besides cruelly gagged her. Suppose he had done nothing more?

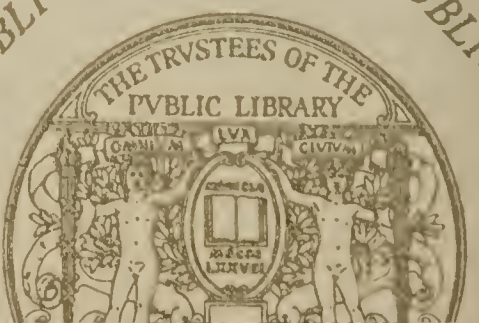
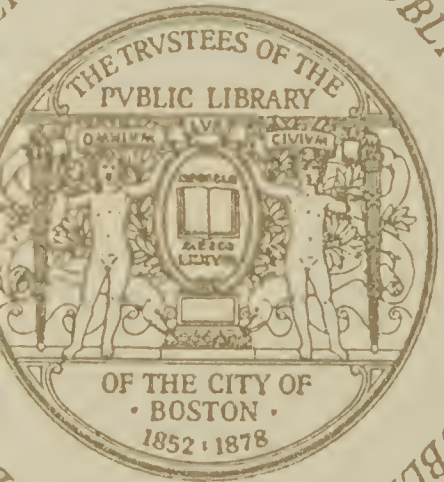
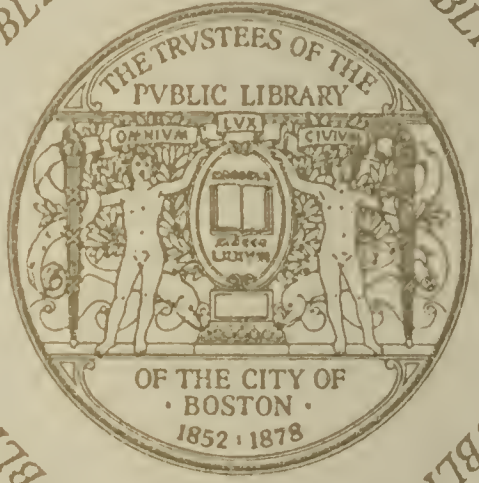
Jones: Your Honor must be aware that the evidence was much exaggerated, else how could the woman have gone about cooking the supper?

His Honor said he should leave the depositions to the Executive Council, and point out

the main features of the case. His Honor then recapitulated the particulars of the ill-treatment of Harriet Devereaux, and adverted to Jones's threat to hang Campbell, and burn him and his wife in the house, conduct, observed the judge, than which none could be more unmanly or brutal.

Jones again interrupted His Honor. He admitted tying the woman, but denied the burning. He said it was his intention to frighten the woman, in order to extort money, which he was told she held in her possession.

His Honor: Supposing that were true, still, he must say, his conduct was cruel and unmanly. His Honor then reverted to the inevitable result of crime, beginning at first in a comparatively minor offence, then bushranging occurred, accompanied by reckless cruelty. His Honor now referred to Captain Horton's case, which had been considered by the jury, who, notwithstanding the learned and able defence of his counsel, and the absence of any opinion on the part of the judge, decided that the act of the prisoner was wilful and malicious. This, and the case of shooting Cutler, His Honor should leave in the hands of the Executive Council. The learned judge very impressively referred to the alarm and misery which Jones and his former comrades, Cash and Kavanagh, had caused throughout the colony, for so long a period, and observed that it was owing to their temporary success so many other unfortunate men had taken the bush, five of whom were executed a few days ago, and in concluding a very able address, His Honor said: I am bound to pass upon you the awful sentence of death, but in doing so I must consider the vast amount of misery and devastation which you have caused in the country to the peaceable and industrious settlers; I cannot therefore shut my eyes to the consequences of your vice. He could hold out to them no hope of mercy in this world, and implored them from that moment to consider themselves as lost to this world. He entreated them, when they returned to their miserable cells, to fall down on their knees, to send for their clergyman, and to him confess their sins, and pray to Almighty God for forgiveness. His Honor then passed sentence upon the prisoners in the usual form, but in a manner more than usually impressive and solemn.



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